Ad Hoc Review Committee

MAJORITY REPORT

on....

The Ypsilanti HISTORIC DISTRICT Ordinance

Feb 1983

Heritage Foundation

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AD HOC REVIEW COMMITTEE

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YPSILANTI

HISTORIC DISTRICT

ORDINANCE

***

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1983

contents

preface

February 7, 1983

We, the undersigned members of the Ad Hoc Review Committee, respectfully submit this MAJORITY REPORT on our endeavors to review The Ypsilanti Historic District Ordinance. This presentation represents the research, findings, conclusions and recommendations of the undersigned majority only.

We regret that the remaining members of the committee could not share our views of the issues before us and our concerns for the entire City as an homogeneous community.

We believe to have brought to our work a mission of resolve and purpose to meet the potential long term gain for the benefit of the entire community, not just a fragment of it. With that in mind, we are pleased to have you review our findings, gain an apprciation for the difficulties confronted, consider our recommendations, and share our aspirations for a successful resolution to the problems encountered.

Peter J Murdock

Peter Murdock, Chairman, Ad Hoc Review Committee and Mayor

Denis Schmiedeke

Denis Schmiedeke

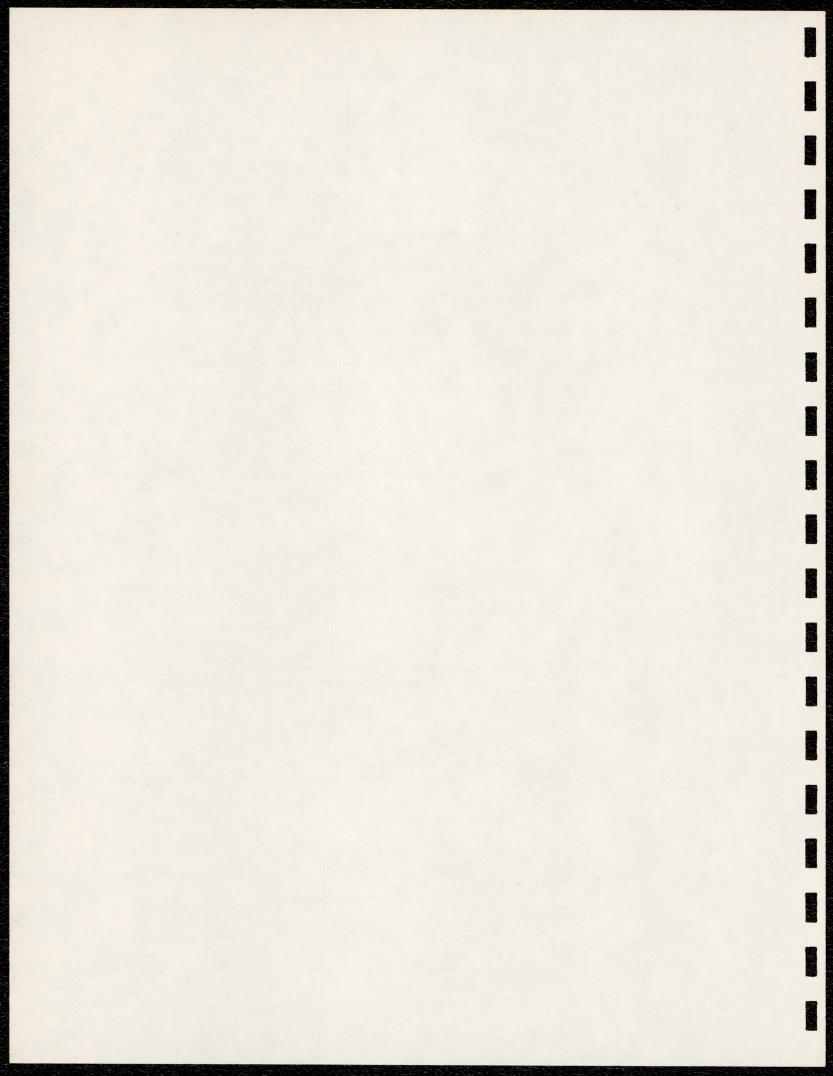
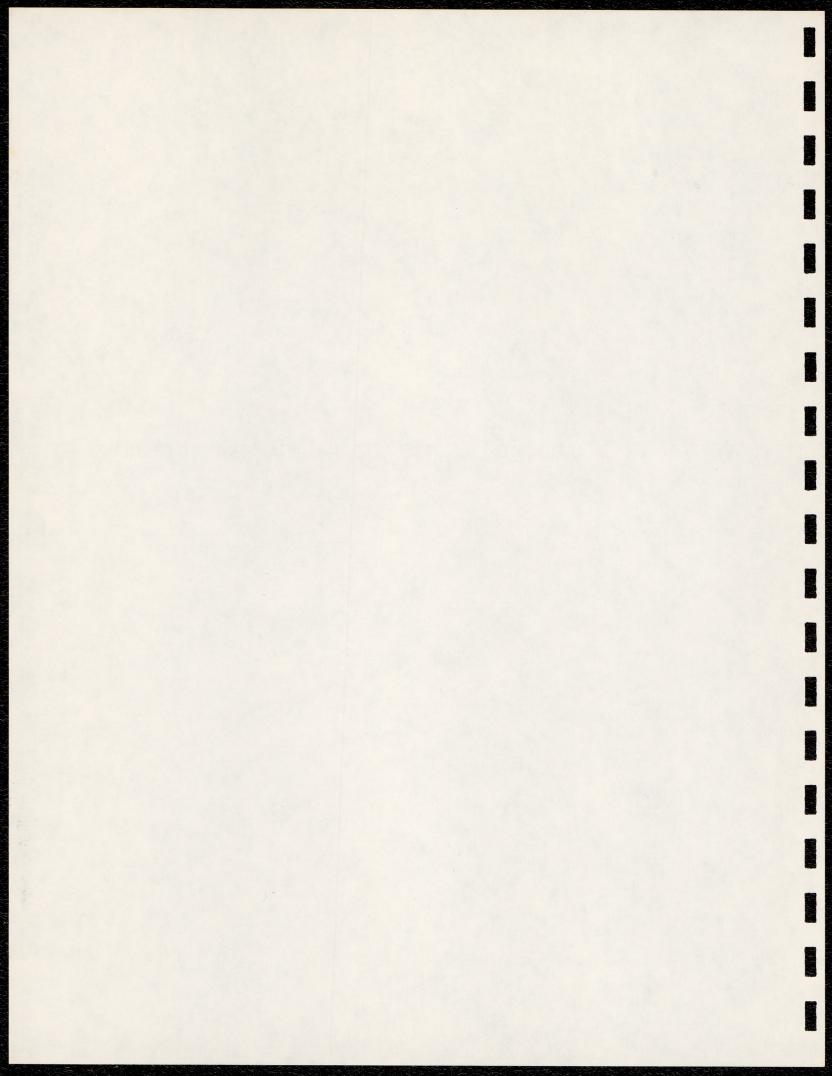
Jane Bird

Jane Bird

Henry J. Prebys

Henry Prebys

John I Van Bolt

John Van Bolt

PART A : BACKGROUND OF THE YPSILANTI HISTORIC DISTRICT ORDINANCE

Architectural Preservation in the United States

Over fifty years ago in 1931, Charleston, South Carolina enacted the first historic preservation ordinance in the nation. This was followed by the development of urban preservation programs as a national movement some years thereafter. Massive urban renewal programs, initially funded by the federal government during the 50s and 60s, failed to encourage private development and proved shortsighted in the emerging shift of cultural values and social change. In the wake of the loss of many fine historic structures, a concerned citizenry awoke to the results of such "progress". However, alternatives were available.

Historic districts were designated, protective ordinances adopted, and commissions appointed to administer the new laws and guidelines for preservation. Even the Supreme Court in 1978 gave recognition to the validity and usefulness of local preservation commissions in its landmark case concerning Penn Central Station in New York City. The Court cited over 500 cities which had enacted laws over the last half century to encourage or require the preservation of the built environment with historic or aesthetic importance. It defined two concerns of legislative efforts responsive to this national movement:

> "The first is recognition that, in recent years, large numbers of historic structures, landmarks, and areas have been destroyed without adequate consideration of either the values represented therein or the possibility of preserving the destroyed properties for use in economically productive ways. The second is a widely shared belief that structures with special historic, cultural or architectural significance enhance the quality of life for all. Not only do these buildings and their workmanship represent the lessons of the past and embody precious features of our heritage, they serve as examples of quality for today."

Some estimate that there are over 1000 historic districts in the USA, and the National Trust for Historic Preservation lists more than 800 commissions administering the laws to preserve the heritage of their localities. Most of this growth occurred in the past decade. In Michigan, the number of newly created commissions has doubled every two years since 1976 from a listed 9 then to 43 now.

WHAT is going on? WHY is it happening? And HOW is it being implemented?

WHAT HISTORIC PRESERVATION IS, simply stated, is the thoughtfully planned and guided protection, rehabilitation, maintenance and reuse of our architectural heritage. Misunderstanding of the three Rs of preservation frequently arises. The terms restoration, renovation, and rehabilitation are often incorrectly interchanged.

The distinction between the three Rs is important. Restoration is the return of a structure to its original form and condition when originally built. Renovation is the renewal of materials, and often spaces, as they exist. Rehabilitation is the return of a structure, often in a state of disuse, to a condition of utility and reuse through repair or alteration "which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural and cultural values", according to the Secretary of the Interior's "Standards for Rehabilitation". More often than not, only restoration and rehabilitation become the central theme of preservation.

Only 20 years ago, private efforts at preservation were limited to the occasional mansion or monument. The federal government was caught up in urban destruction, labelled renewal, of the older parts of many communities. Few of the states had preservation programs, and local communities having preservation as a policy of their planning and development process were rare.

Significant attitudinal change toward preservation has come in recent years. A growing concern over dwindling resources, the escalating costs of new construction and financing, and revived interest in the nation's history heightened by its bicentennial anniversary, led to a new appreciation of the aesthetic and economic value of historic architecture. Preservation is no longer the sentimental rescue of a fine old building here and there, nor of one associated with a famous personage or event. Rather, it is now a broad concept and complementary component of building codes, land use planning, zoning, tax law, economic real estate development, commercial revitalization and the conservation of vital residential neighborhoods. Private involvement in preservation is now extensive and rapidly expanding with many persons of ordinary means engaged in the restoration of historic buildings. New federal tax laws (1976 & 1981) have provided attractive incentives to encourage historic rehabilitation. Many states have preservation agencies which provide programs and technical assistance to individuals and communities seeking informed help. In Michigan, the History Division of the Department of State provides this assistance. The response to the 1981 Economic Recovery Tax Act of the Reagan Administration by knowledgeable builders and informed architects has been phenomenal across the nation, despite the poor economy. In 1982, 800 million dollars were spent on certified historic rehabilitation projects nationally. In 1983, this will reach 2.5 billion, as estimated from applications being processed for historic certification to qualify for the tax benefits available for significant historic structures. The tripling in the span of a year attests to the significant match of financial opportunity with cultural awareness.

WHY IS HISTORIC PRESERVATION HAPPENING and why do communities choose it as a part of their planning and economic development process? The reasons are many, varied and well-defined by most communities adopting preservation by policy and legislation.

Many preservation ordinances cite, not only aspirational goals in their preamble, but also the practical benefits to be achieved. In its opening section, Ordinance 496 of the City of Ypsilanti is typical and defines the intent of preservation. It states:

> "The purpose of the Ordinance is to safeguard the heritage of the City of Ypsilanti by preserving a district which reflects elements of its cultural, social, economic, political and architectural history and natural environments; to stabilize and improve property values in such district; to foster civic beauty and pride; to strengthen the local economy; to promote the use of the historic district for the education, pleasure and welfare of the citizens of the City of Ypsilanti and of the state of Michigan; and, to encourage new buildings and development which will be harmonious with the existing historic buildings and neighborhoods but will not necessarily be of the same architectural style, the purpose being to develop the Historic District as a vital living area in which each succeeding generation may build with the quality and sensitivity of past generations."

Left unstated in this preamble, but of equal, if not greater, importance to the community, is a set of rationales relating to economics. Property values can, and most of them do, improve in a locale which has made a commitment to preservation. Improvements of one property tend to beget improvements to others nearby and real estate values increase as a result. A related benefit is the strengthening of the tax base as property values increase.

Another reason for a preservation ordinance is its encourageemnt of rehabilitation and adaptive re-use of old buildings. As the costs of energy and new construction soar as they have over the past dacade, the public becomes aware of the general economy of old buildings and the waste of resources in their destruction.

A final, important rationale to consider is that of historic preservation as a means to turn around a neighborhood which would have otherwise been abandoned or scheduled for demolition as Depot Town was in Ypsilanti about 1970. Let no one assume that the turn-around is automatic, for it requires community resolve, coordinated effort, and commitment beyond the infusion of capital alone. The esprit de corps in Depot Town is a model and marvel of dynamic preservation in action, effecting an economic turn-around in adaptive re-use which has achieved more than mere capital expenditure could ever have done.

In many another community, it is the establishment and development of historic districts which provide the focus for uniting and energizing a neighborhood. A result of a successful historic preservation program is the development of tourism

and the outside money spent in a genuine historic commercial environment. It has about it a mystique all its own that the glitter and Muzak of the modern regional shopping center cannot replicate.

When all else is considered and while economic and historic reasons are important, it is the social and cultural reasons which often carry the greatest weight in developing a program of historic preservation for a community. Americans who travel abroad often experience a sense of roots inherent in the old cities and small villages they visit. Over the past few years, the idea that American cities and towns have roots, too, is taking hold. There is a view that familiar landmarks have a use in providing a psychological feeling of well-being. Just as a child finds a sense of security in recognizing his home, so does the adult community derive a pleasure and sense of belonging in an environment of fine, old, well-kept structures dating back decades to times long past. Historic preservation is concerned with the total relationship between humankind and the built environment. As stated in a New York Times editorial (about the Pennsylvania Railroad Station), "any city gets what it admires and will pay for, and ultimately, deserves -- and we will probably be judged not by the monuments we build but by those we have destroyed".

HOW IS HISTORIC PRESERVATION ACHIEVED? There are communities which do not legislate historic preservation, yet demonstrate a strong and successful commitment to its intent. Legislation is, however, usually necessary to ensuring that the stated goals of historic preservation are not circumvented in important ways.

The 1954 Supreme Court decision (Berman vs. Parker) ruled that a city has as much right to be beautiful as it has to be safe and clean. This assumption is basic to the preservation of historic districts by architectural controls as a legitimate function of government. (This idea of design and maintenance control has been well known for decades in platted subdivisions with their 'building restrictions'. It also has an analogy to zoning ordinances, building codes and their requirements.)

Architectural control is the device used to prevent the construction of incompatible new buildings or alterations to existing ones which would compromise the visual values of an urban area. This control, needed to establish a sense of compatibility and harmony, is achieved through an evaluation process of comparison and conformance to a set of pre-established criteria. An historic district ordinance is designed to protect harmonious exterior relationships through the application of such criteria.

Architectural control through legislation serves to ensure the community of the long-term benefits of historic preservation by preventing hasty, short-term, often ill-conceived structural alterations. As John Kenneth Galbraith has warned, "Never be beguiled by the notion that we can rely on natural economic sources or that we can rely on the market. If (we) do, a large number of ... buildings will be sacrificed ... This is not a

question of conservative or liberal ideology. It is a simple fact that the market will always favor the short-run solution". Such solutions are most often detrimental to preservation.

Legislation is also necessary to establish requirements for developing a district in a fair and equitable way. When preservation criteria are standardized, arbitrary decisions are minimized. Architectural control through legislation also protects the investments of those who put resources into rehabilitation and restoration and implies a reciprocal trust between investor and community. An investor is thus assured that the neighborhood or adjacent group of buildings will keep and develop the quality that originally attracted the investment and that certain visual standards will be maintained.

YPSILANTI HISTORIC DISTRICT ESTABLISHED

In June, 1972, the City Council established an Historic District Study Committee to investigate the feasibility of establishing an historic district in Ypsilanti. That committee studied the history of Ypsilanti and maps indicating the original plat, the first Village limits, and the first City limits in order to determine the pattern of the City's early development. A preliminary boundary line was drawn to encompass that area which was fairly well developed by the turn of the century and which, therefore, contained the structures on which the study was to concentrate.

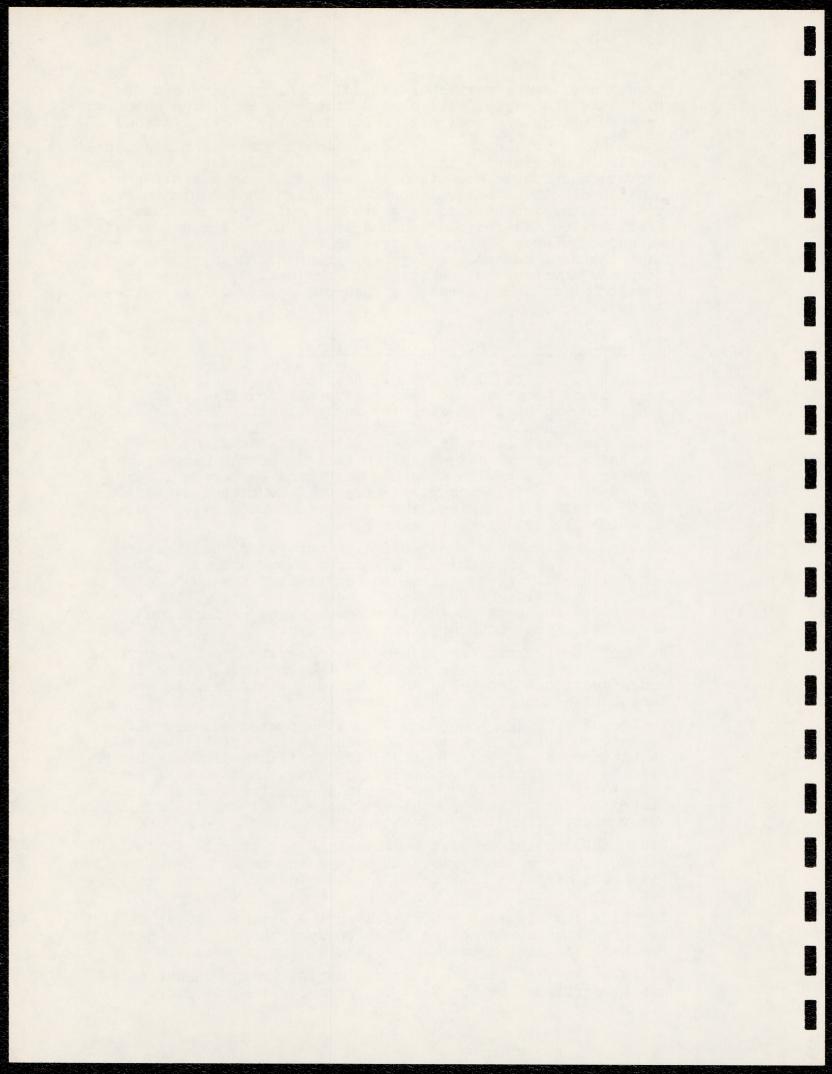
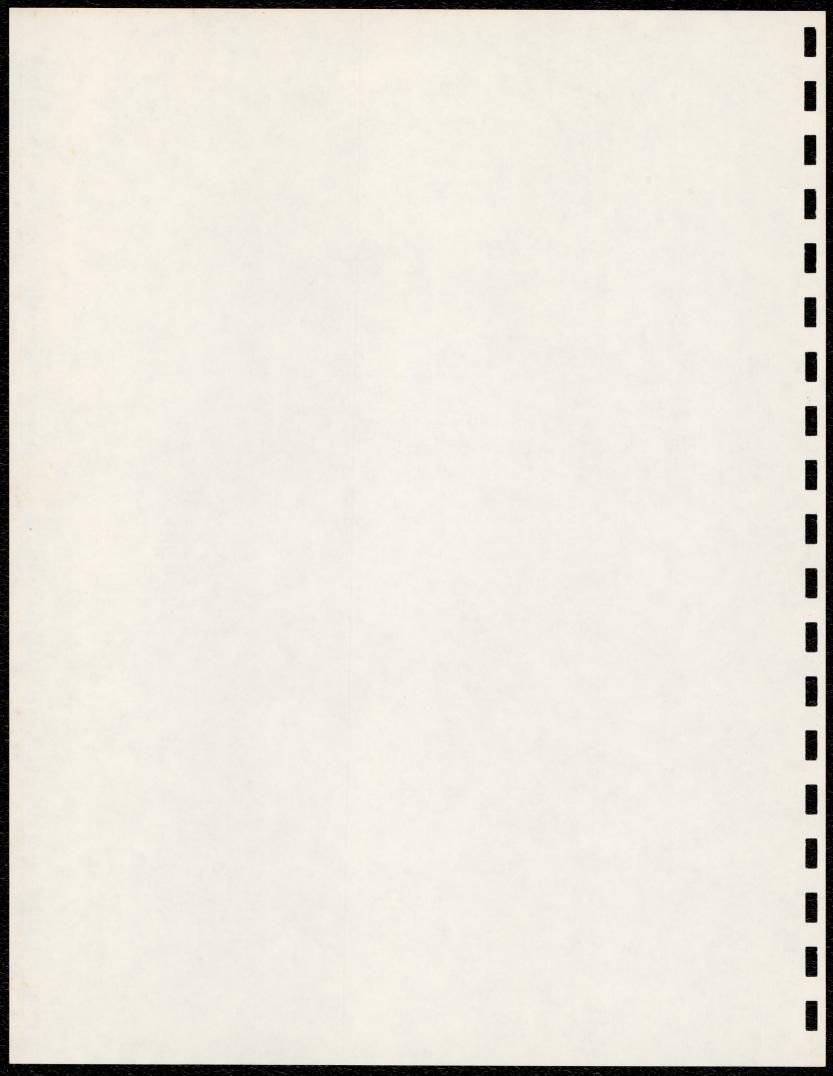
The followed a building-by-building survey of that area and a listing of 181 particularly significant structures. (Of those 181, 41 or 22.7% were buildings constructed for commercial use, and of those 41, 70% were in the downtown area.) With that list to indicate the heaviest concentration of important structures, the final boundary line was drawn.

Further, the committee studied the community benefits offered by historic preservation including the economic, aesthetic, and educational benefits, an improved quality of life and an increased sense of community identity.

In December, 1972, the Study Committee presented, and City Council accepted, a report recommending the establishment of an historic district. In 1973, the Ypsilanti Historic District was designated by City Council and, in that same year, the District was listed on the State Register of Historic Places in recognition of the merit of the District's wealth and variety of historic architecture.

Under the provisions of the State Enabling Statute (MSA 5.3407 et seq), an ordinance was drafted and in January, 1978, the Ypsilanti Historic District Ordinance #496 was passed to protect the District.

In 1977, the District was placed on the National Register of Historic Places, an action which brought the District not only further recognition but also potential tax benefits.

In 1979, the Ypsilanti Historic District Ordinance was officially certified by the U.S. Secretary of the Interior.

PART B : ADMINISTRATION OF THE HISTORIC DISTRICT ORDINANCE

Distinction Between Historic District, Historic District Ordinance, and Historic District Commission

Review of the administration of Ypsilanti's Historic District Ordinance, since its adoption by the Ypsilanti City Council in January, 1978, should properly begin with a reading of the Ordinance itself. Care should be taken to differentiate between the Historic District, the Historic District Ordinance, and the Historic District Commission.

The Historic District, which predates the effective date of the Ordinance itself, is simply the geographical area within the City of Ypsilanti which is both subjected to, and protected by, the provisions of the Ordinance. The District is listed on both the State and National Registers of Historic Places.

The Historic District Ordinance is the ordinance adopted by the Ypsilanti City Council which sets forth the goals, guidelines, restrictions and procedures to be administered within the District. The Ordinance was, in 1979, certified by the United States Department of the Interior.

The Historic District Commission (HDC) is the citizen review board established by the Ordinance, and its make-up and duties are specifically set forth in the Ordinance.

It should be noted here that members of the HDC serve without compensation, and that the adoption of the Historic District Ordinance did not result in the creation of any new City department or employee classification. Review by the HDC and the application of the guidelines and criteria set forth in the Ordinance fall within the existing structure of the Building Department which, in turn, falls under the supervision of the City's office of Community Development.

Meetings of the Historic District Commission

Following the adoption of Ypsilanti Ordinance #496, the first meeting of the HDC was held in February, 1978. In accordance with the Ordinance, meetings of the HDC have been held on a regular basis at a prescribed time and place. Although the Ordinance requires that the HDC meet just once a month, it has since its inception met twice a month, currently on the 1st and 3rd Tuesday of every month, at 7:00 p.m. at City Hall. Meetings are open to the public as prescribed by State Law and minutes and tape recordings of the meetings are maintained as public records in the office of Community Development of the City of Ypsilanti. A printed agenda for each meeting is distributed to HDC members and is available to the public.

Responsibility of the Commission

As described in Section 8 of the Ordinance, the general charge to the HDC is to review all applications for building permits

forwarded to it by the Building Department for all "new construction, reconstruction, restoration, alteration, color change or any other work on any landmark, site, structure or object within the historic district", and then to determine, based upon the purposes, guidelines and criteria of the Ordinance, whether or not such application should be approved or disapproved.

Permit Application and Review Process

Any review or description of the actual operation of the HDC must begin with the recognition that the formal review process of any proposed project within the District begins with an application for a building permit to the Building Department, as would be required for work anywhere within the City, and not with the appearance of the applicant before the HDC. (This recognition is especially important in considering property owner complaints that work has been stopped "by the HDC", or by the Building Inspector because the work was not "approved by the HDC". Except in those cases involving nothing more than a change of exterior color or minor repairs with a value of less than $200, virtually all exterior renovation or restoration in Ypsilanti requires a building permit, whether or not the property is within the Historic District. It might also be noted that a surprising number of projects are started by licensed contractors who claim to be unaware that such projects anywhere in the City require a building permit.)

HDC procedures provide that applications to be considered at meetings on the 1st and 3rd Tuesday of every month must be submitted to the Building Department no later than noon on the preceding Thursday. In practice, however, applications filed with the Building Department on the day of an HDC meeting are often added as late agenda items and are accepted by the HDC for consideration.

Once a permit application has been filed with the office of the Building Inspector, it is the responsibility of his department to determine that the permit is in a form acceptable to his office, and whether or not the property is located within the District. Once in proper form, the application is forwarded to the HDC.

Building permit applicants are normally advised by an employee of the Building Department at the time the application is submitted that the property is in the District and that the permit must be reviewed by the HDC. Applicants should be notified at that time of the next scheduled meeting of the HDC. (As will be discussed later in this report, this Review Committee has identified as a problem the inadequate distribution of information concerning the Ordinance, the HDC, and the applicable criteria to be considered in design review and/or renovation intent.) It is at this point (the submission of a permit application to the Building Department) that property owners within the District should receive clear, concise, written information concerning the procedures and guidelines which will be employed by the Commission in reviewing the application.

The agenda and copies of the permit applications are distributed to HDC members no later than 24 hours before the meeting and HDC members are expected to review the applications and make visual on-site inspections of the properties to be considered before each meeting.

The first time an application is reviewed by the HDC, it appears on the Commission's agenda as a "study item". Under the procedures adopted by the HDC, approval or disapproval of the application is not required for study items and a motion must be made and approved to take action at that first meeting, should the Commission wish to do so. In practice, a great majority of permit applications are approved at that first meeting.

Applications not acted upon at the first meeting automatically appear on the agenda for the next meeting as an "action item", and a formal vote to approve or disapprove is normally taken at that meeting unless additional, previously requested information has not been received, or when the application involves a major project for which the HDC feels that additional information or study is necessary. Review of the minutes for every HDC meeting from February, 1978 through October, 1982 reveals that permit applications are generally acted upon at the first meeting after the filing of the application. The major exceptions to this general rule appear to be in those cases in which the permit application contains insufficient information and when the property owner or representative is not at the meeting to provide further information.

Quick, partial approval is given to a significant percentage of applications, which include a number of work items, so that work may begin on some of those items while more information is sought on the remainder.

In addition, the HDC has adopted a procedure whereby approval may be granted in advance in certain cases where an application has not yet been filed but where even minimal delay would clearly not be appropriate. In those cases the HDC may determine that sufficient information has been presented upon which to make a decision and the HDC may notify the Building Inspector that he may grant administrative approval upon the filing of an appropriate application.

Further, a significant number of applications are approved administratively by the Building Inspector under authority granted by the HDC for certain types of projects which will not result in an obvious change in the exterior appearance of a building. For example, roofing jobs which do not involve major changes in color or style are routinely approved by the Building Inspector without review by the HDC.

Permit applications approved by the HDC are returned to the Building Inspector and, unless he has further requirements, the permits are available to the applicant on the day following an HDC meeting.

This process, in the vast majority of cases, results in efficient action by the HDC and prompt granting of permits by the Building Department.

Adopted Policies and Procedures

Under the authority of Section 5(F) of the Ordinance, the HDC has also adopted additional rules and regulations. Among these are a specific written procedure to be followed in the case of permit applications for demolition or moving of structures within the District which requires that the HDC hold a public hearing to receive the comments of interested citizens or property owners and that notice of the meeting be published in advance. The HDC has also adopted a policy dictating the use of Sections 7 & 9 criteria in the review of moving permit applications. In addition, the HDC specifically adopted and incorporated, in 1979, the U.S. Secretary of the Interior's Guidelines for Rehabilitation and Standards for Rehabilitating Historic Buildings.

Additions to the Historic District

Following the procedures set forth in the Ordinance, a major addition to the geographical area of the Historic District was made by City Council in 1978 on the petition of the East Side Association, which formally requested that the residential area to the east of Depot Town and bounded generally by River Street, Forest Avenue, and Prospect Street be included in the District. At the request of the HDC, the East Side Association provided substantial documentation to support their petition in the form of photographs, history of the neighborhood, and discussion of extant examples of architectural styles in the area.

In addition to the East Side annexation, several individual properties were designated as landmarks in 1980, and now enjoy both the protection of the Ordinance and the tax advantages which can result from such designation. Those landmarks are the Water Tower, Brown Chapel AME Church at 401 South Adams, the First Ward School (now Jerusalem Baptist Church) at 407 South Adams, and the Becker-Stachlewitz house at 601 West Forest.

While local governmental units may not exceed the authority granted in such enabling legislation, comparison of the Ypsilanti Ordinance with ordinances adopted by 11 other Michigan communities (ranging in population size from Saline to Detroit) reveals similarities, but not uniformity. As indicated by the following chart, the Ypsilanti Ordinance is the only one which specifically encourages new construction within the District and which speifically affirms that an historic district must be viewed as a vital, growing part of the community rather than as a static tribute

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of the ordinances surveyed provide for a commission with the authority to review all applications for building permits for exterior work within the district, and all but one give to their commissions the power to approve or disapprove such applications, the Ypsilanti Historic District Ordinance is one of the few which provides necessary guidance for its commission AND for the the building permit applicant by including specific design criteria in the Ordinance itself.

The Ypsilanti Historic District Ordince was also designed, not only to contain the minimum essentials required by state law, but also to serve as a hand book on historic preservation in Ypsilanti specifically. To that end, it is unusually inclusive, as the partial comparison with 11 other Michigan ordinances indicates in the chart on the next page.

See the COMPARISON CHART on the next page
for how other historic district ordinances
of various Michigan communities relate to
the Ypsilanti Historic District Ordinance.

COMPARISON CHART OF VARIOUS MICHIGAN HISTORIC DISTRICT ORDINANCES' PROVISIONS TO THOSE OF YPSILANTI

THE YPSILANTI HISTORIC DISTRICT ORDINANCE PROVISIONS	TRAVERSE CITY	GRAND RAPIDS	ADRIAN	SALINE	ROMEO	DETROIT	FLINT	JACKSON	KALAMAZOO	MUSKEGON	NORTHVILLE
● PURPOSE : to safeguard heritage by preserving a district; stabilize & improve property values; foster civic beauty & pride; strengthen local economy; promote use of District for education, pleasure & welfare of citizens;	●	●	●	●	●	●	●	●	●	●	●
AND ● encourage new construction & development harmonious with existing historic architecture and neighborhoods	o	o	o	o	o	o	o	o	o	o	o
DEFINITIONS : eleven (11)	8	3	0	1	0	13	23	2	1	4	0
● MEMBERS : must include an architect (or a builder with known interest in preservation), 2 from list of preservation society(ies) members;	●	●	●	ARCHITECT only	o	●	●	●	●	A	●
AND ● 1 attorney, 1 elected official, 2 historians (2 of above must reside in District)	o	o	FOUR from HD	o	o	o	o	o	o	o	B
● VARIANCES : duty to recommend to Zoning Board of Appeals any variances to standard requirements when they would serve to retain a neighborhood's historic appearance and/or character	o	o	●	o	●	o	●	o	o	●	●
● ANNUAL REPORT : written and issued to the City Council obligatory	o	o	o	●	●	o	o	o	o	●	●
● REQUIRED TO REVIEW all applications for building permits in the Historic District and to	●	●	●	●	●	●	●	●	●	●	●
● APPROVE or DISAPPROVE such applications	●	●	●	●	o	●	●	●	●	●	●
DESIGN CRITERIA : to guide Commission review and decisions	o	o	o	o	o	●	●	o	o	o	o
● PROCEDURES FOR DESIGNATION of additional districts and landmarks	●	●	o	o	o	●	●	●	o	o	o
AND ● DESIGNATION CRITERIA	o	o	o	o	o	●	o	o	o	o	o
● MAINTENANCE & NEGLECT: REQUIREMENTS	o	o	o	●	o	●	●	o	o	o	o
● PROCEDURES	o	o	o	●	o	●	o	o	o	o	o
● STANDARDS	o	o	o	●	o	●	o	o	o	o	o
● APPEAL : same as from decisions of Zoning Board of Appeals (i.e. Cir. Court)	●	o	PLAN COMM	●	o	●	C	●	●	●	D
COMMERCIAL AREAS : included in District	Y	Y	N		Y		Y	N	Y	Y	Y
separate guidelines ★proposed	★	N	N	N	N	N	N	N	N	N	N

COMMENTARY & LEGENDS

● = SAME AS YPSILANTI'S OR SIMILAR

o = NO SUCH PROVISION IN ORDINANCE

The Ypsilanti HDO is the only ordinanace in this comparison which specifically promotes or encourages new construction in the HD.

A. ARCHITECT + some from local Historical Societies

B. MAYOR + 1 from Plan Commission

The ability to provide such variances is vital to the protection of those features, other than buildings, whose retention is critical to the unique character of historic districts.

Some cities may employ criteria and standards not contained in their ordinances. It should be noted that the Ypsilanti ordinance actually incorporates designation criteria, design criteria, and minimum maintenance standards. In addition, the Ypsilanti HDC employs the Secretary of the Interior's Guidelines for Rehabilitating Historic Buildings, adopted by the HDC as policey in 1979. Of the other ordinances compared, only Flint refers to the Secretary's Guidelines for Rehabilitation as a review guide

The circuit court appeal process is specified under Michigan Public Act 169, 1970, the historic district enabling legislation.

C. Bldg Code Board of Appeals

D. City Council within 30 days

PART C : IMPACT OF THE HISTORIC DISTRICT AND ORDINANCE

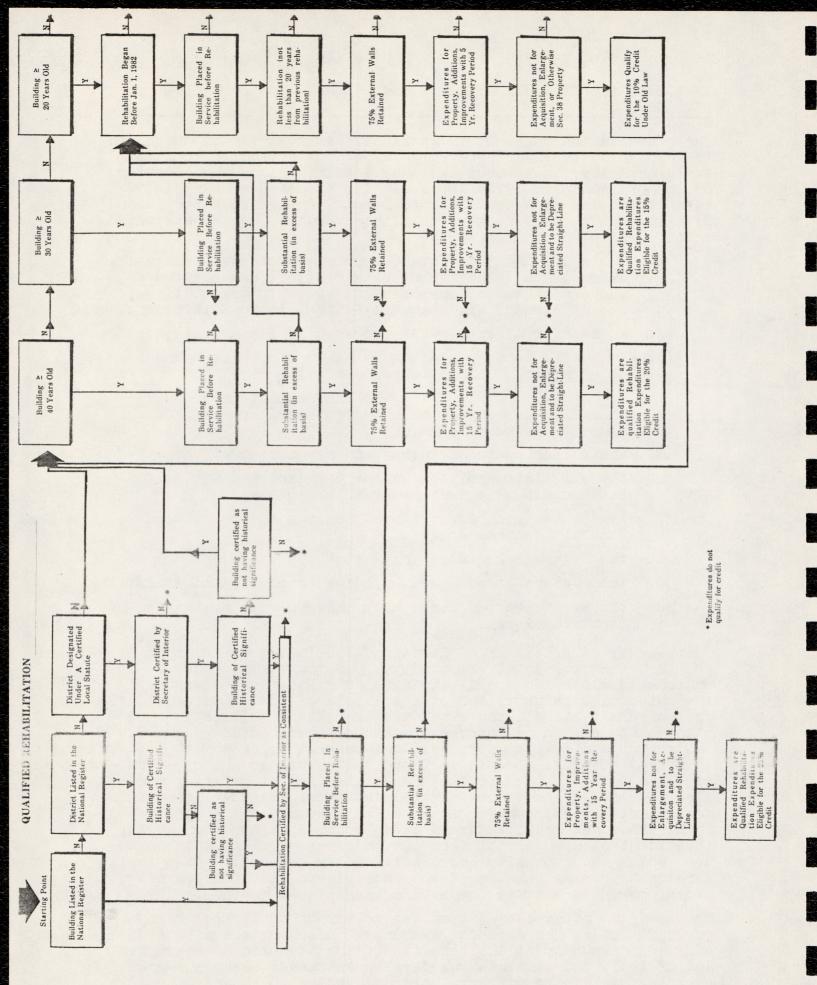
IMPACT of the HISTORIC DISTRICT and ORDINANCE on ECONOMIC DEVELOPMENT

The preservation movement in Ypsilanti has been the one force in the community to thwart property value decline and to encourage individual investment over the past decade. Since the adoption of the Ordinance in 1978, the community has seen a dramatic turn-around in property values in Depot Town and on North Huron Street. A number of factors, all interrelated, have contributed to this phenomenon:

1. a significantly different type of Depot Town ownership, aware of the benefits of preservation, has created a support system of business and property associations, social events, and community-wide political interests;
2. a transfer of city-owned property to the private sector;
3. federal and state grant assistance for the restoration of significant historic properties;
4. the 1976 Tax Act to encourage investment in preservation and the rehabilitation of historic properties for adaptive re-use;
5. the rising costs of energy and new construction;
6. the existing supply of suitable vacant facilities for commercial and private enterprise;
7. the protection of investment capital by the Historic District Ordinance;
8. the Economic Recovery Tax Act of 1981;
9. the employment of a new building inspector and staff;
10. the employment of a new city manager with new management techniques

Unlike many other cities of its size, Ypsilanti has not been altogether a single industry community. Unfortunately, however, its major economic bases are declining. As downsizing continues in the automotive industry and at all levels of education, including the university level, new strategies for the stabilization and maintenance of vested interests must be found and adopted. For the moment and for the foreseeable future, the "only game in town" to arrest economic loss is to focus on the values and opportunities that preservation and the rehabilitation of existing facilities provide. This focus is vital and timely because it accentuates and utilizes the major asset of this community - its historic heritage and architecture. These provide an opportunity for investment of new capital from outside sources other than those upon which the community has traditionally depended. That it is already happening because of the interplay of the factors cited above, suggests that it may be encouraged even further.

Two programs offer the most effective way to encourage this growth. One is the expanded awareness and education within the business community of the benefits of the Economic Recovery Tax Act of 1981, the other is the development model used in regional shopping centers to attract, hold and protect merchants.

QUALIFIED REHABILITATION

The 1976 Tax Act and its depreciation schedules were an attractive stimulus to the rehabilitation of such notable structures as Old Town Hall, the Becker-Stachlewitz house, and the Ladies Library. The 1981 Tax Act has been the economic incentive for the rehabilitation of the Follett House and the proposed rehabilitation of the historic Amtrak railroad station, both in Depot Town. Together, these two projects will bring in well over one million dollars in new capital and improvement. Each will provide space for new businesses and new permanent employment. Without the Historic District being listed on the National Register of Historic Places, and without having the protection of the Ordinance, neither project would have been contemplated or considered economically feasible. Other historic structures in Depot Town are available for similar consideration, and many more in the DDA area.

A project may qualify for any one of the four available categories of rehabilitation to capture the investment tax benefits available to it:

1. certified historic structures eligible for inclusion on the National Register;
2. certified structures not having historic significance (may enjoy the maximum benefit);
3. buildings more than 40 years old if they are in an historic district;
4. buildings more than 30 years old if they are in an historic district

The accompanying chart indicates the conditions to which such projects need to conform.

However, the investment of outside capital cannot be expected unless a strong revitalization program is developed and the means sounf to implement and maintain it. The model for such a plan exists and contains the four major factors of development - a master plan and public improvements, design control, financing and management - used by successful regional shopping centers. For example, as with Briarwood, the developer had plans for parking lot layout, landscaping, and the overall architectural design theme of the center well established before construction began. Facade design, interior design standards, and mandatory signage constraints are written into a merchant's lease. Financing is obtained by the developer from major institutional investors. Centralized management assures compliance, security, sanitation, maintenance, special events, advertising and active business development and recruitment.

For older business districts to survive against such competition, according to a publication entitled "Neighborhood Business Revitalization" by the National Development Council, they must reorganize the relationship between city government, landlords, and tenants to duplicate the strengths of competitive shopping centers. See the Appendix for a discussion of how this may be done in the publication mentioned. It is titled: "Successful Revitalization of Neighborhood Commerical Districts - A Comprehensive Four-Point Program".

IMPACT of the HISTORIC DISTRICT and ORDINANCE on the PHYSICAL ENVIRONMENT

There appears to be general agreement that downtown Ypsilanti is less than a pleasant sight to behold, displaying as it does a patch and band-aid approach to design, with chaos and clutter the result. Most of the present false facades were applied in the 1950s and 60s, a time of economic growth and vitality when each business owner did with his/her property as each saw fit without conformance to any design standards or master plan, and with little regard for the over-all result. Residential areas of the Historic District have suffered from similar inappropriate alterations. It may be observed from these examples that individual, unguided effort toward improvement seldom results in an attractive, harmonious total effect. The opposite approach, on the other hand, can have a profound economic impact and benefit, not only to downtown business, but to the image and pride of the whole community. A local example is appropriate to cite - that of Northville, Michigan, which utilizes design control through its historic district ordinance. (Northville has, contrary to popular opinion, always had mandatory compliance to its ordinance. Initially, the ordinance was enforced by the Northville Planning Commission with the HDC acting in an advisory capacity, but with compliance mandatory. After three years of this awkward process, the City amended the ordinance to eliminate the Planning Commission's role and made the HDC solely responsible for administration of the ordinance, to which compliance remains mandatory.) The visual result today is attractive and inviting, and Northville merchants have come to recognize that mandatory compliance to the design criteria of the historic district ordinance results in good business as well as a handsome image.

Five years ago, the City of Ypsilanti had the wisdom to include its downtown area in the Historic District in order to provide the architectural design control not otherwise incorporated in building codes and zoning ordinances. The example of Northville, and hundreds of other communities across the country, suggests that, given time, Ypsilanti's downtown may enjoy the same results.

Since the enactment of the Ypsilanti Ordinance, in addition to the major projects mentioned earlier in this report, there have been other outstanding restoration projects overseen by the HDC - as an example, the magnificant Glover house (Child and Family Service) at 118 South Washington. Innumerable smaller projects abound throughout the District, some in the DDA, which owe their success to the guidelines of the Ordinance. These include the replacement cornice on the Kmart-owned building at NW Michigan and Washington, the paint color at NE Michigan and Washington, the materials and color coordination at NE Michigan and Huron, the Kentucky Fried Chicken rear masonry wall and stripe-less roof, and Aubree's awnings in Depot Town. The historic Towner House, soon to become a children's museum, still stands because of the existence of the Ordinance.

Any consideration to alter the potential of the Ordinance for continued positive effect would be against the best interests of the entire community.

IMPACT of the Historic District Ordinance on Local Education

The preservation movement in Ypsilanti over the past decade has led to a heightened awareness of its value to many private and community interests. Among these have been new curricula developments in education at EMU and the Ypsilanti Public School system.

In the latter, Judith White, the Director of Curriculum Development, attests to a profound influence of the preservation movement in general; and the Historic District and its resources of buildings, organizations and personnel in particular as being instrumental in shaping and supporting the Public Schools' new program in history in elementary and secondary education. This program grew out of an idea about a history sequence being centered on the community and upwardly oriented to the county, to the state, to the nation and to the world progressively as academic growth and learning is achieved in age and grade. This idea led to a funding proposal to the National Endowment for the Humanities early in 1980 for its development and implementation.

The NEH granted the sum of $100,000 to create the curriculum as proposed and train the staff to implement it. The title of the project was "A Model for a Community Centered Study of History" and was largely funded, according to Ms. White, because of the rich heritage of the community, its existing organizations and institutions committed to preservation and the live learning experience it could provide the young student. Having the Historic District and its protective ordinance in the community were key ingredients of learning resources available to the program and its students. Critically related to these were volunteer citizens administering the ordinance and other organizations whose existences were based on preservation and the heritage of the community.

This grant proposal was only the second one of its kind ever to be submitted to the National Endowment for the Humanities, so original and visionary was it in concept and intended purpose, further attesting to the impact the historic heritage of the city is making to the welfare of the whole community.

Upon receipt of the grant, 50 teachers were specially trained over a period of two years with the program now being in various stages of implementation from the first through the twelfth grade. In less than a generation, a new citizenry of Ypsilanti will be acutely aware of the heritage and significance of its town in place and time.

Another major resource, supporting the application of this grant proposal almost coincidentally, was the newly established preservation programs and concentrations at Eastern Michigan University. These grew out of the background, imagination and vision of its two co-directors: Professors Andrew Nazzaro and Marshall McLennan of the Geography Department. Under the auspices of a 1978/79 grant from the Preservation Education Fund of the National Trust for Historic Preservation, Professors McLennan and Nazzaro developed three

curricular programs in the Graduate School with related introductory courses at the undergraduate level.

Again, as with the program in the local public school system, the idea for the program was certainly sparked by the growing preservation movement in Ypsilanti, the presence of the Historic District, its protective ordinance and administrative commission of volunteer but highly knowledgeable personnel. The presence of historical and heritage organizations being in place, related and rich resources of countywide museums, libraries and living community historians all contributed to the creation of not only the programs, but also the aims and directions they took.

At EMU, three curricular programs in historic preservation were approved by the Board of Regents on June 20, 1979, and classes commenced in the Fall of the same year. The programs include a two year Master of Science in Historic Preservation with concentrations in preservation planning, historic administration, and heritage interpretation; a five course graduate level certification program in historic preservation; and an undergraduate minor in historic preservation. A fourth concentration is offered in some of the few other preservation programs in the nation. It is in architectural preservation technology and presumes an undergraduate base of an architectural degree.

The program at Eastern Michigan University has grown rapidly, in enrollment and acclaim, to the point where it is now one of the three largest programs in the country. The graduate enrollment at EMU, Columbia University and Middle Tennessee State are on a par with each other. To be in such company as Columbia, whose programs in preservation have long been known and honored nationally, is indeed a testament to its creators, soundness of program offerings and the collateral benefits outside the University that the city, county, region and state provide. In acknowledging its stature, the Historical Society of Michigan's annual Award of Merit in 1980 was in recognition of the innovative nature of the program.

That the preservation movement in Ypsilanti, its Historic District, Ordinance and Commission have been a significant impact on the program has been unflinchingly asserted to by its co-director and founder Professor Andrew Nazzaro. In his program description, issued to prospective students, his narration includes a discussion of the "Aims of Programs" which states:

> The curriculum has been designed to foster a four-way interaction between students, faculty, regional and local planning agencies, and local preservation groups. Consequently, adjunct faculty drawn from the regional preservation community play an important instructional role in the program. Use is made of visiting speakers with community and/or agency experience in dealing with preservation problems and planning.

Later on in the same document, a paragraph describing the setting of the University as being appropriate to the program in preservation states:

> Ypsilanti and nearby Ann Arbor abound in structures and districts of historic significance. Ypsilanti has one of the largest central city historic districts in the country, which serves as the focus of the Annual Heritage Festival in August.

The quality of the preservation programs at EMU and the Ypsilanti historic environment has drawn an impressive enrollment from afar geographically and scope academically. Those attracted to the set of preservation programs at EMU with graduate degrees come from two other universities in Michigan, in addition to EMU, eight out-of-state universities, with two foreign countries being represented. Those in the program with undergraduate degrees come from 13 different Michigan colleges and universities, 31 different out-of-state universities; and three different nations other than the USA.

In both educational systems, public and the university, direct references and frequent visits to the District's historic buildings, monuments, museum, library and neighborhoods are made. On the secondary level in the Public School System, an impressive teaching manual has been compiled and written for classroom and field use. It covers a wide spectrum of architectural design education including the basic elements of: form and shape, color, texture, scale, proportion, rhythm, space, function, context, structure and materials and geography. It identifies the styles of the 19th and early 20th centuries, their origins and how various Ypsilanti buildings relate to the national parade of styles that swept through Ypsilanti. The community provides a living and dynamic 3D environment of teaching tools no book or lecture could match. Walking tours, slide presentations, old newspapers, extant historic advertising and museum visits bring the past to the moment of now. It is an inspired program of vision, acumen and accomplishment.

The programs at EMU have been comparably prepared with imagination, response to emerging national interests with a rich variety of course options, but with a more active involvement with the community and its historic resources. Graduate students in the preservation concentrations write histories of structures, conduct photographic surveys, serve apprenticeships on the Historic District Commission, in the planning office of the City and other civic functions relating to the heritage of the community.

Thus becomes evident the role the Historic District and its extant resources of historic architecture, organizations and events plays in the promotion of the educational programs associated with the community. The impact is clear and growing annually; each, community and curricula, contributing to the growth and vitality of the other.

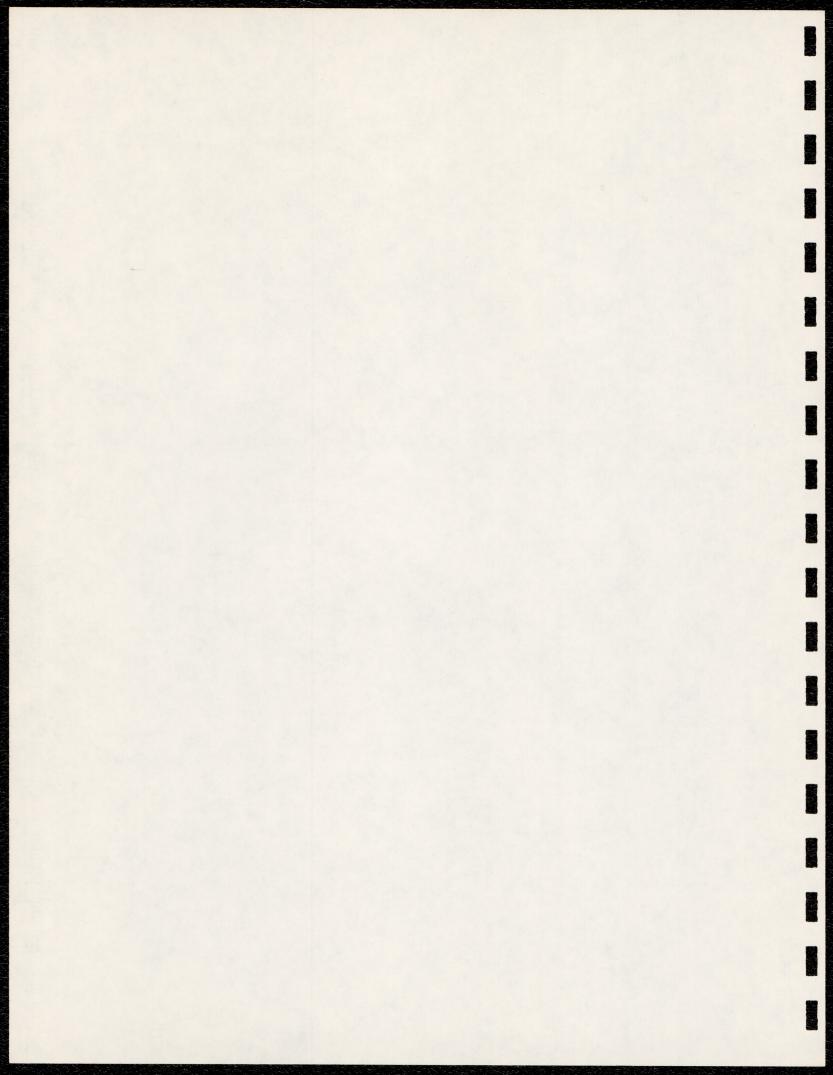
IMPACT of the HISTORIC DISTRICT and ORDINANCE on SOCIAL and CULTURAL ACTIVITIES

The preservation movement in Ypsilanti with its esprit de corps, and the visual quality of its Historic District have been the inspiration for the establishment of several community organizations, among them

the Historic East Side Association,
the Ypsilanti Heritage Foundation,
the Depot Town Association, and
the Historic Depot Town Foundation;

and for the establishment of a number of significant annual and seasonal events, among them

the Ypsilanti Yesteryear Heritage Festival,
the Depot Town Winter Jazz Series,
the downtown Apple Harvest Weekend,
the Heritage Foundation Historic Homes Tour (held in conjunction with the Heritage Festival),
Depot Town Boomer Days,
Downtown "Country Christmas",
Depot Town June Jazz Festival, and
Depot Town "Victorian Christmas"

PART D : PERCEIVED PROBLEMS AND PROPOSED REMEDIES

POOR PUBLIC RELATIONS

The problems identified by the Review Committee as those of public relations may be traced, to a great extent, to a lack of adequate information disseminated to the public concerning the benefits of historic preservation and the way in which the HDC operates.

Proposed Remedy: Make simple, understandable guidelines and descriptions of HDC procedures, and background information on preservation available to every Historic District property owner.

Seek to ensure that Building Department and Community Development Department staff understand and support the goals and operations of the HDC.

Make available a staff person or persons in the Building or Community Development Department capable of explaining to applicants the requirements of the Ordinance and the procedures of the HDC.

Encourage a concerted effort by the City and preservation, business and neighborhood groups to foster a better understanding of historic preservation, the Ordinance and the Commission.

INADEQUATE INFORMATION ON PERMIT APPLICATION PROCESS

Presently, six sources of information and design review criteria are available to applicants for building permits:

1. Ordinance #496
2. The Secretary of the Interior's "Standards"
3. A handout entitled "Information for Owners of Property in the Historic District"
4. "Exhibit A" to accompany item #4 above
5. A brochure entitled "The Ypsilanti Historic District"
6. The building itself and adjacent structures

Such an array of information, while appearing helpful it its discrete forms, is a confusing assortment lacking any clear sense of application or relationship to a project or to each other.

Proposed Remedy: Prepare and publish a "DESIGN and PERMIT APPLICATION GUIDE to Building Projects in the Historic District" which should contain all documents related to the process and deliberations of the HDC, with other references added when necessary.

UNEVEN ENFORCEMENT

It is a fact that work in the Historic District (and in the City at large) is sometimes done without a permit and that no remedial action is taken. This lack of enforcement is unfair to those property owners who do apply for permits in compliance with the Ordinance and to those whose property value and investment is threatened by these illegal and often inappropriate changes. The fact that it is probably not possible to detect all such violations does not eliminate the need for continuing diligence and increased effort on the part of the HDC, the Building Department, and the City Attorney. Fair and beneficial implementation of the Ordinance, or any other code, can be achieved only through uniformly applied enforcement.

Proposed Remedy: Consistent enforcement of building codes and of the Historic District Ordinance in all areas of the City and District.

PRESENT COMPOSITION OF COMMISSION

Suggestions have been received by the Review Committee that the requirements for the composition of the HDC be changed so that certain special interest groups in the community receive representation. The Ordinance currently requires that the 7 members of the HDC include an architect or a builder with a known interest in preservation, an attorney at law, a duly elected official, and 2 historians selected from lists of citizens submitted by existing preservation societies. At least 2 members must reside in the Historic District.

An obvious problem which could result from a decision to appoint members to the HDC from special interest groups or from specific areas (for example, one or more members to be selected by downtown merchants), is the potential claim that other groups or areas must then be given equal representation. Because the District encompasses such a wide variety of residential neighborhoods and business districts. it is unlikely that an acceptable formula for "equal representation" could be devised.

The more important question to be answered in determining whether or not the composition of the HDC should be changed is whether or not any member of the HDC should have a specific constituency to which he or she must be answerable or whether each member should more properly be bound to serve all of the citizens of the City.

Recommendation: Membership on the HDC should continue to be based upon expertise in the field of preservation and related fields, and not upon association with specific interest groups.

LACK OF LOCAL APPEAL PROCESS

As stipulated in the Michigan Enabling Statute (MSA 5.3407(11)), persons aggrieved by a decision of the Historic District Commission may appeal to circuit court. The lack of any other, more local, appeal is viewed by some persons as a problem. It is the opinion, however, of City Attorney John Barr that, in the light of the very clear language of the enabling legislation, the creation of any other appeal process would be illegal. However, in response to the concern just mentioned, the following two suggestions are offered.

Proposed Remedy: As a procedure designed to occur before any HDC decision, consider the establishment of an Advocate Group by providing HDC agendas to all concerned groups (DDA, CBC, CC, DTA, HES, etc.) so that they might be automatically informed about projects to be reviewed by the HDC. Members of the Advocate Group could then consult with applicants, attend HDC meetings with applicants, bring to HDC attention information which might aid the HDC in its review of particular applications, thus contributing to the decision-making process.

Proposed Remedy: As a procedure designed to occur after a disputed HDC decision, consider the establishment of a mediation procedure to attempt the resolution of the occasional major conflict between applicant and Commission. This procedure would not substitute for the existing court appeal process, nor would it guarantee resolution of the conflict. It would, however, allow an outsider's assistance in reaching a possible accommodation between applicant and Commission without the intrusion of politics and without resort to the courts.

Should this procedure appear worthy of serious consideration, several factors would require careful thought. The procedure would need to be structured in such a way as not to circumvent the Ordinance, compromise the integrity of the Commission, or be abused by applicants. Time to allow the procedure to function would need to be limited, after which, if no accommodation were reached, the court appeal process set forth in the Ordinance would be available.

APPLICANT'S APPREHENSION OVER POSSIBLE DENIAL

Information has reached the Review Committee that some applicants agree to suggested changes in their permit applications, not because they agree with the suggestions proposed by the HDC, but because they perceive an atmosphere of intimidation which results in a fear that failure to agree to those changes will result in a denial of the application.

Certainly, the HDC should be aware of this perception which may arise in the mind of any property owner when confronted by an official governmental body, and be prepared to clearly explain the historical, architectural or economic basis for any suggestions made.

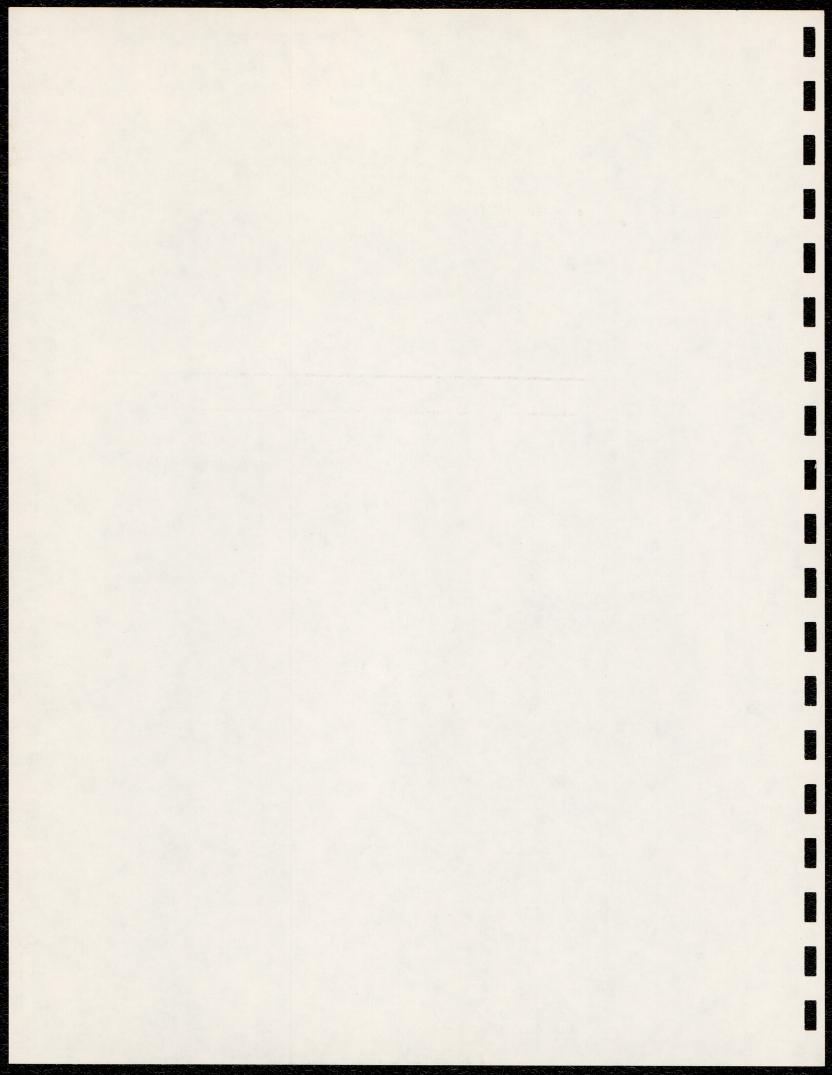
Inasmuch as the perception of intimidation has been voiced on behalf of commercial property owners in particular, it would appear that a valuable service to the property owner and to the HDC might be rendered if a representative of an appropriate organization appeared at HDC meetings with the applicant to act as an advocate on behalf of its member. The Downtown Development Authority, Chamber of Commerce, Depot Town Association or Historic East Side Association, for example, could each provide valuable information, expertise and support on behalf of its members in this way.

Proposed Remedy: Clear distinction must be made by the HDC between those suggestions which will not affect the HDC's final decision and those changes which will be required.

TAX INVESTMENT WORKABILITY

Inaccurate information and misunderstanding about the economic and tax benefits of property improvements in the District is widespread. That some properties are not as eligible as others adds to the confusion. Many of the recent rehabilitations in the District were done under the 1976 Tax Act. The Economic Recovery Tax Act of 1981 appreciable enhanced investor opportunities for both commercial and residential properties as certified historic structures. In addition, significant benefits exist for non-certified structures 30 and 40 years old if they are in an historic district. Even non-significant structures, if certified as such, may derive the highest benefits, but only if in an historic district. These facts, and the conditions affecting their application, need professional presentation and explanation.

Proposed Remedy: Sponsor seminars for property owners in the Historic District to adequately provide accurate information on the tax benefits and development economics of historic properties. (The national firm of Touche, Ross & Co., with offices in Detroit, are the leading accounting and legal authorities in preservation tax law, and often conduct such seminars.)

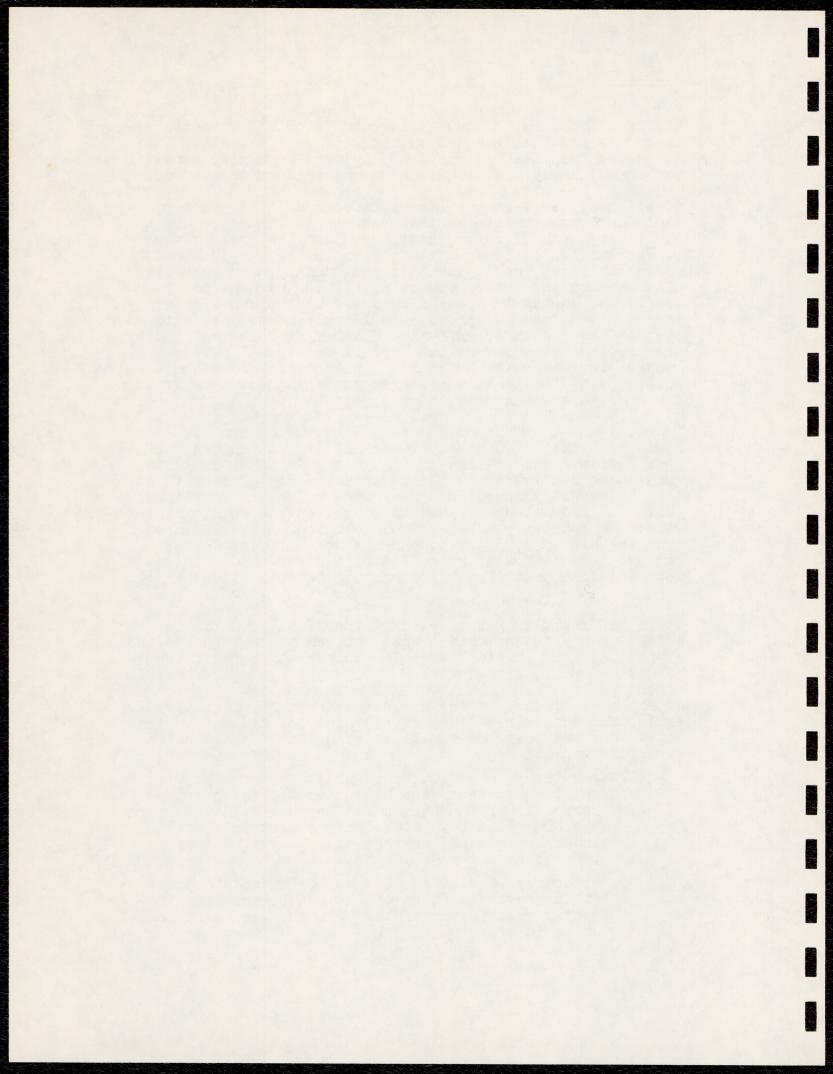
PART E : FINDINGS AND RECOMMENDATION

FINDINGS

Historic preservation, utilizing an historic district ordinance, is a valuable asset to the City of Ypsilanti. It is achieving its intended purposes, and the community benefits far outweigh any individual inconveniences or objections.

Adoption of the Historic District Ordinance in 1978 represented a determination by the people of Ypsilanti, through their City Council representatives, that the preservation of Ypsilanti's Historic District, including the downtown commercial area, would socially, culturally, and economically benefit the entire community. This judgment has been reaffirmed during the past five years by the adoption of the Downtown Facade Improvement Plan which was commissioned by the City and endorsed by the Chamber of Commerce, and by the growing awareness on the part of public and private groups, including the Chamber's Visitor and Convention Bureau, that Ypsilanti's historic and architectural heritage is an asset to be preserved and promoted.

Recently, in the wake of downtown dissatisfaction with the Historic District Commission's denial of National Bank of Ypsilanti's facade design proposal, the National Bank has requested removal of its building from the Historic District, the Chamber of Commerce has requested voluntary compliance (with the provisions of the Ordinance) in the Downtown Development Authority area or the exclusion of the DDA area from the Historic District, and a member of City Council has proposed a moratorium on Historic District Commission approval/disapproval of building permit applications in the DDA area.

It is difficult to perceive, in terms of their ultimate effect, any practical difference between these requests and proposals. Any consideration to exclude any part of the Historic District, or to allow a suspension, however brief, of the application of the Ordinance in that area, would have detrimental effects on the visual environment, community pride, and economic welfare of the District and the entire City. Any weakening of the District/Ordinance/Commission structure would:

1. constitute a violation of trust between the City and those persons who have invested in the purchase of, or improvements to property, not only in the DDA area, but in the entire District under the assumption that their investment was protected by the Ordinance;
2. discourage the investment of new outside capital in the revitalization of the DDA because the protective provisions of the Ordinance would no longer be in effect;

3. create a perception that advantageous and preferential treatment had been given to one group within the District to the exclusion of other groups (whatever their ethnic, cultural, social, political or business interests might be);

4. result in the construction and alteration of structures sharply out of character with any potential visual harmony which historic preservation might have developed in the area;

5. result in the loss of maintenance standards, leading to possible neglect of maintenance, structural failures due to neglected or deteriorated load bearing elements, and the possible increased exposure of the City to legal liability in a case of personal injury, bodily harm or economic devaluation through neglect of adjacent properties and/or premises;

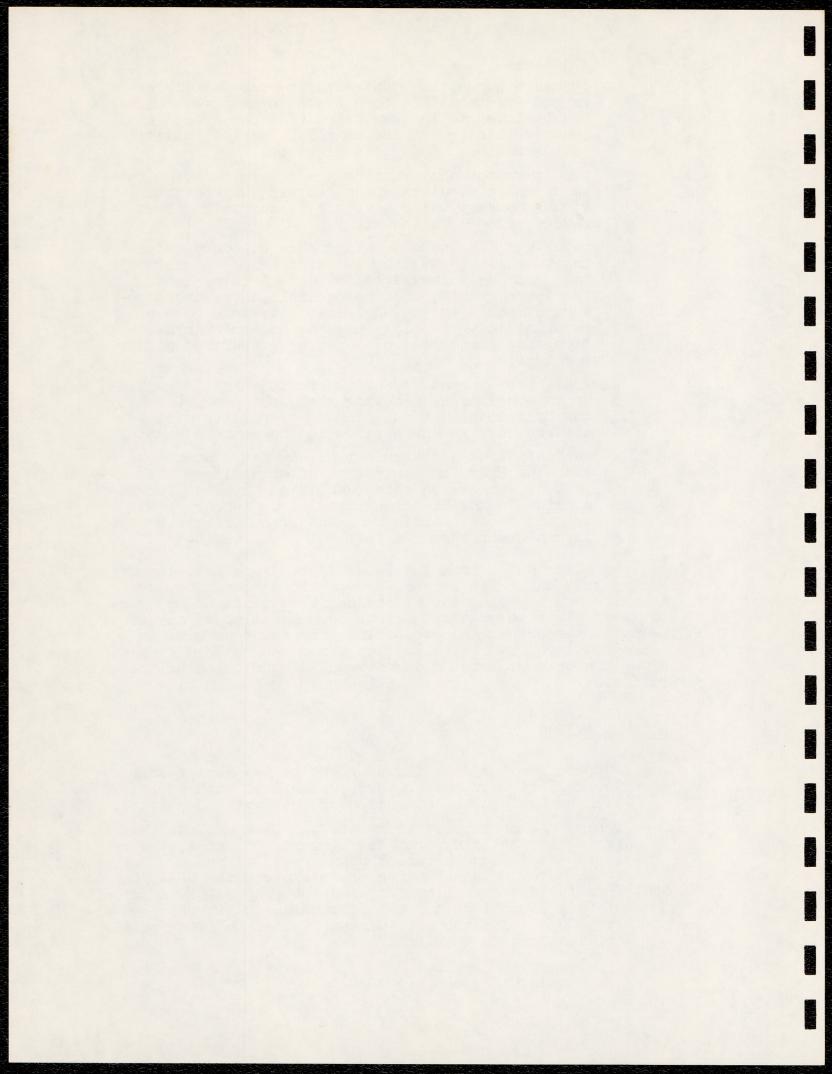
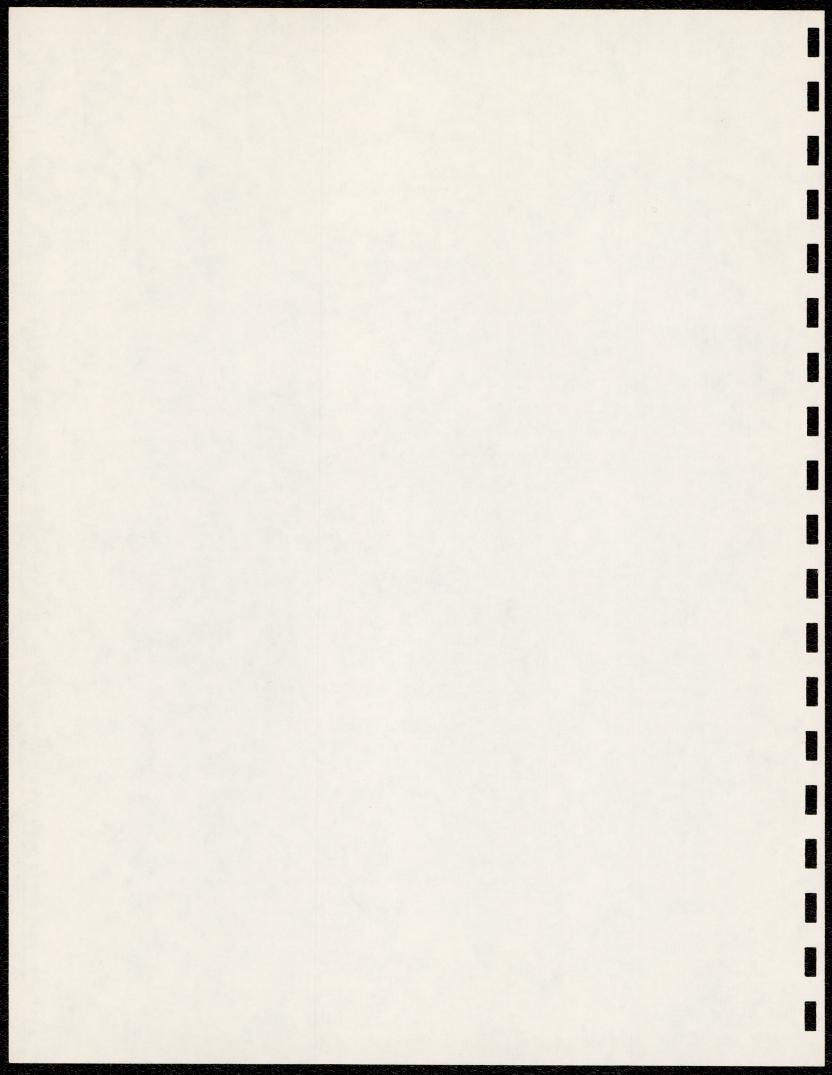
6. lessen the incentive for owners to maintain and improve property by removing the assurance offered by the Ordinance that neighboring properties will be altered only in appropriate and harmonious ways;

7. necessitate the determination, by City Council, that the heavy concentration of significant and important structures which qualified the area for inclusion in the Historic District no longer exists or that those buildings no longer contribute to the character of the District.

However, quite apart from the issues just discussed, the fact remains that there has been no presentation to the Review Committee, at any time during its deliberations, of any reasons sufficient to justify serious consideration of any of the current requests and proposals. The downtown area is central to any City revitalization effort and should remain in the Historic District and under the jurisdiction of the Ordinance.

RECOMMENDATIONS

1 - Adoption of the remedies proposed by the Review Committee in Part D of this report, which deal with every problem brought to the attention of the Review Committee.

2 - Denial of the request from National Bank of Ypsilanti to remove its building from the Historic District, the requests from the Chamber of Commerce to allow voluntary compliance in the DDA area or to exclude the DDA area from the Historic District, and the proposal by a member of City Council to adopt a moratorium on Historic District Commission approval/disapproval of building permit applications in the DDA area.

PART F : APPENDIX

COMMERCIAL REVITALIZATION

Introduction

Neighborhood Commercial Revitalization requires an overall coordinated systems approach. Successful revitalization is neither a simple nor a short process. In developing a commercial revitalization program, you will not have any real impact if you only work with isolated individual businesses scattered across the city.

The purpose of revitalization is to turn around the overall investment and psychological assumptions in a neighborhood. If buildings are beginning to deteriorate, if home owners are beginning to sell and leave, if businesses are beginning to close, an overall coordinated development process is required to stimulate reinvestment.

All across the country neighborhood revitalization is one of the major topics of discussion and a major conceptual goal of most mayors and cities.

The critical question is one of implementation. How does it work?

The National Development Council has been involved in two specific "successes"—the revitalization of Baltimore, Maryland's Oldtown Mall and Hudson, New York's Central Business District.

The Oldtown area is the site of one of the three original settlements which later coalesced to become the City of Baltimore. In 1813, the Belair Market was established at the edge of town on Gay street and a shopping area developed in the vicinity of the market. In the 1880's, the Gay Street area was the downtown for Baltimore. Later, the shopping area gradually declined as surrounding neighborhoods deteriorated. By 1960, Gay Street served low-income black residents of public housing projects and adjacent neighborhoods slated for urban renewal.

The merchants petitioned assistance from the city and asked to be included in the urban renewal program. In 1968, the Oldtown project was initiated and one objective was the revitalization of the Gay Street shopping area. A tenuous alliance was arranged between the black residential community represented by the neighborhood Model Cities Council and the predominately white merchants and the city.

Over a four year period $7 million was invested in Oldtown—$3 million in public improvements and $4.2 million in 84 businesses.

Hudson, New York is a small city of 10,000 located 116 miles north of New York City on the Hudson River. The Central Business District was in a state of advanced decay. Surrounding suburban shopping centers threatened to destroy the economic health of central Hudson. The store vacancy rate exceeded 20%. There was inadequate parking, and the general area was deteriorating.

Over a three year period $1.6 million was invested in the Central Business District—$500,00 for public improvements—creating 270 off-street parking units, repaving the streets and sidewalks—and $1.1 million was invested in 61 local businesses.

In each area, the economic health was restored, business activity has increased, and the before and after pictures show a dramatic improvement.

While working on revitalizing these two neighborhoods, certain underlying themes and issues surfaced which seem to be recurrent.

The first article "Successful Revitalization of Neighborhood Commercial Districts—A Comprehensive Four-Point Program" suggests four major tools necessary for revitalization:

1. An Overall Plan and Public Improvements.
2. Mandatory Design Standards and 100% Merchant Participation.
3. Financing
4. Management

Successful Revitalization of Neighborhood Commercial Districts
A Comprehensive Four-Point Program

By John Sower

I. BACKGROUND

Economic forces such as the out-migration of middle-income residents, the growth of interstate highways, and the proliferation of suburban shopping centers and regional malls have hurt neighborhood commercial districts, "Older Business Districts" (OBD's). Many cities and towns are attempting to revitalize their OBD's both in neighborhoods and downtown. Most efforts include public improvements such as parking, pedestrian malls, and landscaping as well as private efforts such as special promotions, advertising and rehabilitation loans.

The interest in revitalization is very strong, fueled by a combination of forces including energy conservation, "back to the city" movements, neighborhood revitalization programs, the reversal of previous pro-suburban governmental policies and some initial successful projects that both government and business leaders are beginning to see and understand.

To date, most OBD revitalization efforts have been piecemeal. Successful competition with suburban shopping areas requires strong leadership and a joint effort between city and OBD leasers with a Comprehensive Four-Point Program including:

1. *An Overall Plan and Public Improvements*—Investment by the city for planning, parking, pedestrian malls, lighting, etc.

2. *Mandatory Design Standards and 100% Merchant Participation*—Mandatory facade standards focusing on renovation, code enforcement, contemporary design, or some other attractive retail environment.

3. *Financing*—Special financing for the purchase and renovation of store buildings, for business expansion and for new business development.

4. *Management*—Some organization with mandatory budget support from both the city and the merchant/property owners to focus on:

   a) promotion (advertising & special events)
   b) administration (including security, sanitation, and maintenance)
   c) business development (leasing & sales, business recruitment, market research, etc.)

Successful OBD revitalization is not possible in many areas. Basic economic feasibility, merchant willingness and the trends in the surrounding areas are the factors in selecting those OBD's to be targeted for revitalization.

Most voluntary participation programs by merchants don't seem to hold up over time. The Comprehensive Four-Point Program needs to be contractually negotiated between the city and the merchants/property owners. This *quid pro quo* relationship (loose translation: "You scratch my back and I'll scratch yours"), should specify the amount and timing of improvements by the city and the cooperation with design standards and centralized management by the merchants/property owners. Both city and merchants suffer if an OBD deteriorates and both benefit if it is successful. They both have the incentive to work together and to take those steps that are necessary to have a successful OBD revitalization program. The entire community benefits from a successful effort.

The real world of politics and economics may make implementation of the recommended four-point program difficult or even impossible, except perhaps in phases. However, it is important that city officials and merchants/property owners understand the need for a comprehensive program and why a piecemeal program doesn't result in an instantly revitalized area. Perhaps after initial completion of one or two of the four points, they can begin planning for the missing parts of a successful, comprehensive OBD revitalization program.

II. SUCCESSFUL EFFORTS TO DATE

A. Baltimore's Oldtown Mall

Baltimore's Oldtown Mall (formerly Gay Street), a four-block strip with 84 store buildings, was one of the oldest commercial areas in the city and by the 1960's had deteriorated drastically. The city's urban renewal plan for the area created a special district with city government investment in a pedestrian mall, parking, and many other public improvements. It also created mandatory building rehabilitation design standards for the 19th century buildings. Special long-term loans for the purchase and/or renovation of store buildings were offered to the merchants through city, private, Housing and Urban Development (HUD) and Small Business Administration (SBA) programs. HUD and city programs were used for smaller rehabilitation projects, while SBA and private financing was used for the more substantial loans.

Many existing merchants expanded and modernized their stores. Many new businesses were attracted because of the OBD revitalization program and the availability of financing in a previously redlined area. At least 30 to 40 properties changed ownership in this previously neglected area. Minority business ownership substantially increased.

Business has increased in Oldtown and, due to this success, the city is now expanding its OBD revitalization effort to 12 other neighborhoods. It has a separate department focusing on design improvements, marketing and management, and financing to coordinate overall OBD revitalization.

The Oldtown Mall has three of the four points cited earlier as necessary for a Comprehensive Four-Point Program in OBD revitalization. The missing fourth point is centralized management. The lack of cooperation by many of the merchants has frustrated both the city and the more progressive merchants, and efforts are now underway to create a mandatory assessment of the properties for centralized management to have joint advertising and special promotions. The Oldtown Mall's maintenance is provided by the city government.

B. The Trenton Commons

A two-block section of State Street in downtown Trenton, New Jersey, is now a landscaped pedestrian mall known as the Trenton Commons. Properties on the Commons are assessed to raise funds for the Commons Commission which is a special organization set up to manage and promote the mall. The Board of Directors of the Commission is controlled by the merchants/property owners and the city government. Most of the $70,000 annual budget is used for advertising and special promotions.

Trenton's management formula is unique. However, Trenton Commons has only two of the four points in the recommended Comprehensive Four-Point Program: public improvements and central management. They are now attempting to obtain mandatory facade design standards and special financing. Trenton Commons is only a partial success to date, but other pending redevelopment projects in the downtown area are expected to help the retail district.

C. Hudson Central Business District (CBD)

Hudson is a small city with a population of 10,000. The Central Business District, a five-block area with 65 stores, was badly deteriorated and had a 20% vacancy rate.

The City Community Development and Planning Agency used HUD Community Development Block Grant (CD) dollars for public improvements—off-street parking, two mini-parks, street and sidewalk repaving, sewer and water lines, and landscaping. Mandatory design standards, utilizing the beauty of the historic buildings, gave the area a common theme. Financing was arranged through the Small Business Administration and through a unique Municipal Loan Program, which offered individual merchants an interest subsidy if they agreed to renovate their facades and interiors. Hudson has not implemented a coordinated management plan, although the merchants do join together to sponsor special sales and promotions.

III. THE COMPETITION—SUBURBAN SHOPPING CENTERS

The first step in understanding the need for the Comprehensive

Four-Point Program for OBD revitalization is to understand the organizational strengths of suburban shopping centers and regional malls. Competition is the issue. Older Business Districts must learn to be competitive with these successful retail areas.

Most shopping centers are owned by large and specialized development companies, some of whom have dozens of centers across the country. Some more familiar names are: The Rouse Company of Columbia, Maryland; Ernest W. Hahn, Inc. of California; Melvin Simon & Associates of Indianapolis; De Bartolo of Youngstown, Ohio, among others. It is a multi-billion dollar industry and successful shopping centers are now considered among the best real estate investments available.

Suburban shopping centers have some distinct competitive advantages over OBD's. They are usualy built in easily accessible areas on the interstate highways near affluent residential areas. They are attractive all-weather enclosed malls, and their centralized physical design is convenient for shoppers and easier to make secure.

Management is an additional strong advantage, and most modern shopping center developer/owners have full time staff professionals in all the management areas shown in the enclosed outline, including promotion (special events and advertising), administration (security, sanitation and maintenance), and business development (leasing & sales, business recruitment, and market research). It is very difficult for OBD's to compete unless they understand the management capability of the competition and how to organize to compete effectively. The centralized ownership of shopping centers permits professional specialization in various management areas, and percentage lease arrangements give both owner and tenant the incentive to cooperate in joint promotions.

The relationship between city governments, landlords, and tenants in Older Business Districts needs to be reorganized to duplicate the strengths of the competitive shopping centers.

As shown in the enclosed outline, most shopping centers automatically have each of the points in the proposed Comprehensive Four-Point Program. The developer plans the parking and landscaping before the project is built. The facade and interior design standards are written into the merchant's lease. Financing is obtained by the developer from major institutional investors, and there is centralized management as explained above.

How can OBD's compete successfully? The answer is the adoption of the Comprehensive Four-Point Program, which combines all the elements for a mutually beneficial joint arrangement between the city government and the merchants/property owners.

IV. A COMPREHENSIVE FOUR-POINT PROGRAM

Older Business Districts (OBD's) can compete effectively and successfully by working with the local city government to initiate a Comprehensive Four-Point Program that is designed to maximize the inherent strength of the OBD and duplicate the strengths of their competition, the suburban shopping centers. The enclosed outline lists each element in the Comprehensive Four-Point Program, and compares a modern shopping center with Baltimore's Oldtown Mall, Trenton Commons, Hudson's Central Business District, and a prototype Older Business District that has adopted the Four-Point Program.

The typical shopping center is strong (+) on all four points. Baltimore's Oldtown Mall is strong on public improvements, design standards, and financing, but weak (0) on management. Trenton Commons is strong on public improvements and management, but weak on design standards and financing. Hudson's Central Business District is strong on public improvements, design standards and financing, fair on promotions, and weak on management. These projects are now attempting to obtain those parts of the Comprehensive Four-Point Program that they do not already have. Balimore's Oldtown is strengthening its management while Trenton Commons is strengthening its design standards and financing. Hudson is exploring stronger management.

A Comprehensive Four-Point Program For Revitalization of Older Business Districts

— OUTLINE —

	Typical Modern Mall	*Baltimore's Oldtown Mall*	*Trenton Commons*	*Hudson CBD*	*OBD with Four-Point Program*
Point One— An Overall Plan and Public Improvements					
Parking	+	+	+	+	+
Landscaping	+	+	+	+	+
Point Two— Mandatory Design Standards & 100% Merchant Participation					
Facades	+	+	O	+	+
Interiors	+	+	O	+	+
Point Three— Financing					
Landlords	+	+	O	+	+
Tenants	+	+	O	+	+
Point Four— Management					
A. Promotion:					
Special Events	+	O	+	+	+
Advertising	+	O	+	+	+
B. Administration:					
Security	+	+	+	O	+
Maintenance	+	+	+	O	+
C. Business Development:					
Leasing & Sales	+	O	+	O	+
Business Recruitment	+	O	+	O	+
Market Research	+	O	+	O	+

CODE:
+ = strong
O = weak

By combining the strong points of Baltimore and Trenton and Hudson, a model Older Business District can be formulated with the same strengths as the suburban shopping center. This is shown in the last column of the outline with the OBD that has adopted the Four-Point Program. The outline is hypothetical, but it is useful in identifying the strengths and weaknesses of the alternative organizational arrangements.

Following the outline, each of the four points of the proposed Comprehensive Four-Point Program is discussed in detail.

Point One—An Overall Plan and Public Improvements

Many cities and towns have successfully completed the first step in the Comprehensive Four-Point Program, namely, developing an overall plan and outlining public improvements for the neighborhood or downtown area. These public improvements include pedestrian malls, parking, landscaping, street furniture, lighting, graphics, signs, fountains, benches, and the comprehensive planning to tie it all together. Generally, their purpose is to improve an area's public appearance and to make retail shopping more convenient and accessible. Pedestrian malls in particular, starting with the much publicized effort in Kalamazoo, Michigan in 1959, are often recommended.

Any improvements that increase the attractiveness of these OBD areas, whether for shopping, work or leisure, are a plus. People will be attracted to nice areas and public improvements are a necessary step.

However, both city officials and business leaders must realize that public improvements alone are not a guarantee of successful OBD revitalization. Some public and private officials have been disappointed at the initial results of some downtown public improvements. This was largely due to their unrealistic expectations and a failure to understand the complexity of successful OBD revitalization, particularly the business aspects of their undertaking.

Point Two—Mandatory Design Standards and 100% Merchant Participation

As mentioned above, the Oldtown Mall in Baltimore had mandatory design standards and the City Council proposed a specific ordinance requiring that all property owners had to renovate the stores within a two-year period, or be fined. The design standards were negotiated by the city and the merchants and were a compromise between the merchants' preference for new, modern store fronts and the city's preference for renovation of the 1800's era buildings. The results have been described as only 80% historic preservation, although they certainly preserved the architectural character of the buildings and achieved the merchants' need for adequate signage, lighting and security.

Once the local merchants selected the design standard for their area, the city then negotiated 100% merchant participation. The city promised to invest in substantial public improvements, if the merchants voted to fix up their stores conforming to the design standards. The merchants accepted, and Baltimore's City Council passed the ordinance.

The mandatory design standards and merchant participation for the store facades had both an aesthetic and an economic impact:

1. *Aesthetic Impact:* ("Good design is good business.") The ability of the Oldtown Mall to attract new retail businesses even without a leasing program surprised everyone. Its success is due not just to the enforcement of existing building codes, but to the creation of an attractively designed retail environment that draws both new shoppers and new businesses, even in the toughest inner-city location.

2. *Economic Impact:* ("Fish or cut bait.") Buildings in Older Business Districts are often owned by absentee landlords, outsiders, or bank trust departments who are just "coasting," making money without having any commitment to renovations or other improvements. Typically, they are not experienced or knowledgeable about property development or revitalization. Their passiveness is an obstacle to any successful program.

Mandatory design standards and merchant participation force property owners to do something. They have three alternatives: Renovate, sell, or lease to someone who will renovate.

Transfer of ownership from absentee, uninterested property owners to younger, aggressive developers and merchants is tremendously important for successful OBD revitalization. Nearly half of the 84 store buildings in Baltimore's Oldtown Mall were purchased by new owners, many of whom were businessmen in the immediate area.

The merchant participation requirements gave the impetus for owners to sell, usually *to avoid having to spend* money for renovations or to avoid being *fined* for not doing so.

The new regulations also encouraged the owners to sell at more reasonable prices. Often property owners in OBD's set unrealistically high prices for the sale of their store buildings, "remembrance of things past," especially when there has been a lot of recent publicity about an area's pending revitalization.

This factor has a significant economic impact because it creates the economic opportunity for the younger, aggressive developers and merchants to give the area new life.

In summary, the manadatory facade design standards and merchant participation had both an aesthetic impact, by making the area more attractive to businesses and customers, and an economic impact, by accelerating the sale of the properties to developers and new owners. Many cities have spent money for beautiful pedestrian malls and other improvements while the store buildings are allowed to remain covered up and unmaintained. A successful program needs to include provisions to renovate and rehabilitate the local businesses.

Point Three--Financing

The financing of businesses in OBD revitalization projects can be done successfully as shown in Baltimore's Oldtown Mall and the Hudson CBD. Any successful OBD revitalization requires reinvestment and long-term financing. Financing is essential to bring new stores into an area, and to allow stores to renovate or to expand.

Many previous urban business lending programs have failed. To be successful, it is important that city officials, businessmen, and neighborhood people understand some basic concepts:

1. *Long-Term Financing:* To encourage reinvestment by smaller businesses in OBD's, there must be long-term loan funds available. The economic life of the store building is long-term and the monthly payments are too high with short-term loans. Many redevelopment or business expansion projects are feasible with 20 year loans. Long-term financing is essential for successful revitalization. (See Section IV The Importance of Long-Term Financing p. 93)

2. *Loan Packaging Assistance:* Most businesses (and homeowners) experience the process of negotiating a large loan and planning a renovation or construction project only once or twice in a lifetime. It is complex, with many frustrations for the inexperienced, unless some professional outside assistance is made available either from the city, the banks, or a neighborhood organization. Each project involves negotiations with a realtor, architect, contractor, city agency, banker, and lawyer, among others.

Without assistance, many small businessmen give up or refuse to try.

Many cities and towns are getting involved in the day-to-day implementation of their OBD revitalization program to help the merchants and to provide coordination for each individual project.

3. *90% to 100% Financing:* In the competitive suburbs, businesses and developers can often get 100% financing by signing a lease in a shopping center or industrial park.

In OBD's a retailer has the extra obstacle of not being able to arrange for the financing.

There are many ways that city governments, banks, savings and loans, and federal programs can be combined to be competitive and offer 90% to 100% financing for purchase or renovation in OBD's for qualified, credit-worthy companies.

4. *Successful Businesses:* Too much time is wasted in well-meaning attempts to do the impossible. Trying to save failing businesses during their last gasps is a waste of time and resources. Learning which projects to screen out is very important.

Most of the Baltimore Oldtown projects were moderate expansions of existing, successful businesses. Sometimes start-up businesses have been successful in OBD's, but start-ups are high risk loans. It is usually preferable to promote the expansion of existing businesses or to attract existing businesses from nearby areas.

5. *Redlining:* Private financial institutions are reluctant to invest in many older urban areas due to real or perceived greater risks in comparison with suburban or other locations, which is called redlining. Redlining in housing has been widely publicized. Redlining's effects on retail and other business lending is just as substantial to the detriment of OBD's, urban jobs, and local tax base.

Redlining is very complex and involves more than a yes or no on a loan application. It can also mean "dis-incentives" for an OBD project such as higher cash down payment requirements, higher interest rates, shorter maturities, extra fees, and outside collateral requirements.

An overall plan and leadership from the merchants, the community leaders, and the city can reverse redlining.

6. *Available Federal Resources*

Available federal loan programs and grants are described in detail in a later section. (See Section VI p. 99).

In summary, availability of long-term financing for developers and merchants is very important. Special government and local private financing programs are necessary to overcome the "long-term financing gap" and redlining. A successful program requires 90% to 100% financing for qualifying businesses and developers for purchase and renovation of their buildings. Special financing, in conjunction with the mandatory design standards, is important to create economic opportunities for younger, aggressive businesses.

OBD's need to have the same financial incentives available which suburban shopping centers offer.

Point Four—Management

A major difference between suburban shopping centers or malls and Older Business Districts is in the area of management.

Shopping center developer/owners have full time staff professionals in all management areas including:

1. *Promotion:*
   Special events . . . Advertising . . . Sales
2. *Administration:*
   Record Keeping . . . Maintenance . . . Special Security . . . Sanitation
3. *Business Development:*
   Leasing . . . Sales . . . Market Research . . . Attracting New Tenants . . . Business Recruitment.

A logical observer might ask, "How can shopping centers afford such specialized management?" The answer lies in the phenomenon of *the percentage lease*, which is a key feature of modern shopping center management. Typically, shopping centers and malls have larger "anchor tenants" (supermarkets and department stores). The rest of the center or mall is composed of smaller chain stores and independent tenants. The anchors are usually on a lower fixed rent (or even own their stores), while the smaller stores are on a percentage rent, ranging from 1% of sales for larger stores to 20% to 30% for boutiques or kiosks.

For each dollar the tenant makes, the developer gets his percentage, typically 5% to 10%. Thus, both merchant and tenant have the incentive to work closely together to attract more people to the center and motivate them to spend more money. They both benefit directly and immediately from every dollar spent in the shopping center. Although rents in shopping centers and malls are higher than in typical OBD's, better management pays off, because owner and tenant share a percentage of each sales dollar.

To implement a good management program for an OBD, it is first necessary to thoroughly understand the difference between the management of an OBD and a competitive shopping center.

1. *Promotion*—Shopping centers promote very actively with coordinated advertising programs in local newspapers, newsletters, radio and television that feature individual special sales, as well as the overall shopping center. Many shopping centers have regular special events such as style shows, sidewalk sales, and exhibits. Their purpose is to attract more people to the shopping centers so that they will shop in the various stores. The advertising and special events are usually closely coordinated. The central ownership of the shopping center, along with the percentage leases for tenants, give the owner the incentive to aggressively advertise and promote because both the developer/owner and the individual merchants benefit directly.

The problem in Older Business Districts is twofold: (1) multiple ownership of properties and businesses, and (2) absence of percentage leases to give both property owners and the merchants the incentive to coordinate and cooperate with their promotions.

An aggressive promotion program is essential in an OBD, and different organizational relationships between property owners, merchants, and local city governments are being explored.

City government is very important in this revitalization program because city property taxes and business taxes increase if there is a successful Older Business District. Thus, the city benefits from a successful promotion or advertising program and has the incentive to assist in the financial support for the promotion program.

2. *Administration*—Most shopping centers have professional administrators (often Certified Property Managers, or C.P.M.'s) whose full-time responsibility is to maintain financial records, coordinate day-to-day maintenance of interior and exterior areas, and provide for security systems for both the merchant and owner's property and for the personal security of employees and customers. Each of these areas is important when compared with their absence in Older Business Districts.

Most OBD's do not have a centralized reporting or record keeping system, making any centralized program more difficult. Physical deterioration and day-to-day grounds maintenance can suffer without a full time maintenance staff.

Baltimore's Oldtown Mall is well maintained by the city's Department of Public Works. However, there is no clear accountability of that department to the Mall's merchants or property owners. Trenton Commons, Brooklyn's Fulton Mall, and other areas assess the property owners for a maintenance budget that is managed by a corporation jointly controlled by city government and merchant/property owners. This system probably insures better day-to-day accountability.

Security is always important, both in suburban shopping centers and in Older Business Districts. Security includes some combination of private security and local police.

Older Business Districts with their greater proximity to higher crime areas, more wide open physical layout, and their lack of centralized management, have greater security problems than suburban shopping centers. Professional management of a competent security system in an OBD is even more important than in competitive suburban shopping centers.

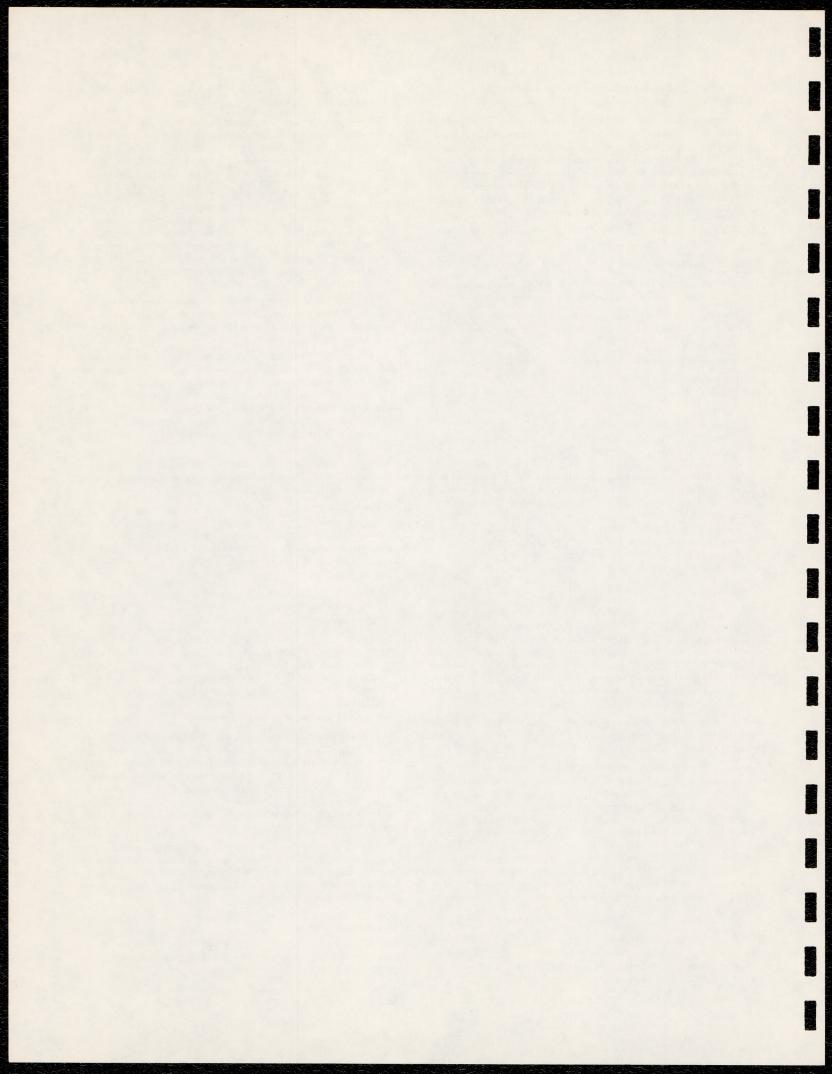
In summary, OBD's need this same type of modern administrative systems for record keeping, maintenance, and security that suburban shopping centers have.

3. *Business Development*—Most owner/developers of suburban shopping centers and malls have full time professional business development staffs. They do market research to identify the types of businesses that could be located in their shopping centers and to identify the specific demand for goods and services in the respective market area. They have people calling on businesses that might expand into or relocate in the specific center.

Most Older Business Districts do not have this type of professional effort. In addition, aggressive business developers are actively engaged in attracting businesses away from Older Business Districts into shopping centers. Although there are economic factors that influence the location of retail businesses in suburban shopping centers versus downtown or neighborhood Older Business Districts, this day-to-day recruitment effort is obviously influencing many of the smaller retail businesses to relocate out of the OBD's.

There is no reason why an OBD could not support similar efforts. The Trenton Commons Commission comes closest to having this type of business development capability, but it is fairly limited in comparison with the professional efforts of most shopping center developer/owners.

Some of the typical business development problems in OBD's concern the lack of uniform leases or purchase agreements for different properties, conflicting, or worse yet, nonexistent efforts to recruit new tenants, and no efforts to research the market for new business opportunities.

Suburban shopping centers have all of the above. Thus, OBD's must find ways to compete with this sophisticated approach.

BUILDING PERMIT APPLICATIONS REVIEWED BY THE HDC, 1978-1982

The summary tabulations below represent the percentage and number of permit application decisions made by the Historic District Commission over the past five years. They do not include the numerous pre-permit planning discussions with applicants who have sought opinion, direction or advice before preceeding further with a project.

GROUPED BY LOCATION: PERCENTAGE (NUMBER)

	1978	1979	1980	1981	1982
DOWNTOWN	32%	16%	18%	11%	22%
	(26)	(26)	(20)	(12)	(21)
DEPOT TOWN	12%	17%	11%	21%	18%
	(10)	(25)	(13)	(23)	(17)
ALL RESIDENTIAL	53%	52%	64%	64%	51%
	(44)	(77)	(70)	(68)	(48)
NORTH HURON	2%	6%	4%	2%	4%
	(2)	(9)	(4)	(2)	(4)
OTHER COMMERCIAL	0	7%	3%	2%	4%
		(11)	(3)	(2)	(3)

GROUPED BY TYPE OF IMPROVEMENT: PERCENTAGE (NUMBER)

	1978	1979	1980	1981	1982
REMODEL/REPAIR	53%	40%	36%	47%	35%
	(43)	(58)	(40)	(50)	(33)
FENCES	4%	3%	5%	5%	2%
	(3)	(4)	(6)	(5)	(2)
ROOF/GUTTER	10%	12%	15%	17%	6%
	(8)	(18)	(17)	(18)	(6)
SIGNS	17%	17%	19%	15%	31%
	(14)	(25)	(21)	(16)	(29)
COLOR CHANGE	15%	19%	22%	17%	21%
	(12)	(27)	(24)	(18)	(20)
NEW CONSTRUCTION	1%	4%	3%	0	2%
	(1)	(6)	(3)	0	(2)
DEMOLITION	0	4%	0	0	1%
	o	(6)	0	0	(1)

PROPERTY PURCHASE SURVEY

The chart below indicates the opinion elicited by a survey conducted by the Review Committee which sought answers to these questions:

1. At the time of purchase, were you aware that the property was within the Historic District?
2. What impact did the property's location within the Historic District have on your decision to purchase?
3. What impact has the Historic District Ordinance had on the neighborhood where the property is located?

The survey form was mailed to a list (gleaned from the records of the City Assessor) of persons who purchased property in the Historic District in 1979, 1980, 1981, and the first 6 months of 1982.

Total surveys mailed	109	
Postal Service unable to deliver	10	
Answered and returned	26	(23.8%)

		RESIDENTIAL		COMMERCIAL		?	TOTAL
		East Side (11)	Other (10)	Downtown (3)	Depot Town (1)	(1)	(26)
Question #1	Yes	9	8	2	1	0	20
	No	2	2	1	0	1	6
Question #2	None	4	3	3	1	1	12
	Positive	5	5	0	0	0	10
	Negative	2	1	0	0	0	3
	No answer	0	1	0	0	0	1
Question #3	None	0	0	1	0	0	1
	Positive	3	5	0	1	0	9
	Negative	4	0	1	0	0	5
	Don't know	2	3	1	0	1	7
	No answer	0	1	0	0	0	1
	Positive/ Negative	2	1	0	0	0	3

COMMENTARY ON RECENT SURVEYS

While some expression of opinion surfaced during the deliberations of the Review Committee opposing the continuance of the downtown area as a part of the Historic District and its continued compliance to the Ordinance, no substantive reasons or rationale were presented to support that opposition.

NOTE: An attempt by the Chamber of Commerce to gather opinion from downtown building users, rather than from building owners exclusively, initially offered only three options (to abolish the Ordinance and Commission, to exclude commercial property in the DDA, or to provide for voluntary compliance in the DDA area). A fourth (no change in Ordinance) was later added in the process of taking the survey, without any recognition that a fifth option (leave as is) existed. The misdirected focus and lack of presentation of all options discredits this survey.

In an earlier survey attempt, the Chamber of Commerce mailed 309 questionnaires to applicants for building permits in the Historic District. The fact that over 500 permit applications have been acted upon by the HDC would suggest an immediately compromised statistical sample. Only 39 responses (12.6%) were received and, of these, only six related to the downtown area. A ratio of 6 to 500, or 1.2% is an insufficient basis for any creditable consideration or interpretation of the results.